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House of Representatives

□ 2045

BOB STUMP NATIONAL DEFENSE AUTHORIZATION ACT FOR FIS- CAL YEAR 2003

(Continued)

Ms. SANCHEZ. Mr. Chairman, whether you are pro-life or pro-choice, agree or disagree with the merits of reproductive freedom, the fact remains that women of the United States have a constitutional right to these services. So why do we choose to place our overseas female soldiers and military dependents into a subclass of citizenship? Currently servicewomen may fly back to the United States to obtain reproductive services, but only after they have authorization from a commanding officer and can find space on military transport.

If your daughter, your wife, sister or friend had to make this tough reproductive choice and was stationed overseas, do you believe that as adult women they should be required to disclose this to their commanding officer? Would you want to put her on a plane alone? Our servicewomen and dependents overseas deserve better.

My amendment allows military personnel and their dependents serving overseas to use their own private funds to obtain safe, legal abortion services in overseas military hospitals. No Federal funds would be used.

The amendment will only affect U.S. military facilities overseas. My amendment will not violate host country laws, nor does it compel any doctor who opposes abortion on principle to perform one. It will, however, open up reproductive services at bases and countries where abortion is legal.

Vote for the rights of our servicewomen and dependents abroad. Vote for this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. RYUN of Kansas. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Kansas (Mr. RYUN) is recognized for 10 minutes.

Mr. RYUN of Kansas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from California (Ms. SANCHEZ). This amendment simply introduces a controversial issue of abortion into a national security debate. The amendment does not address an operational need for the Armed Services or ensure health care benefits extended to our men and women in uniforms and their families.

Under current law, government-funded abortions may be performed in the Department of Defense medical treatment facilities whenever the life of the mother would be endangered if the baby were carried to term. Additionally, self-funded abortions may be performed in these medical treatment facilities in cases in which the pregnancy is the result of an act of rape or incest.

If this amendment is adopted, self-funded abortions would not be limited in military medical treatment facilities outside the United States to cases in which the life of the mother would be endangered if the baby were carried to full term or in cases in which the pregnancy is the result of the act of rape or incest. Elective abortions can be performed in military medical treatment facilities outside the United States.

Proponents of the amendment claim that the amendment is necessary because female service members and dependents overseas are denied equal access to health care. This is simply not true. In those overseas locations where safe and legal abortions are not available, service members and their dependents currently have the option of using space available travel to return to the United States or to some other overseas location to obtain an abor-

tion. As a result, the argument that the DOD personnel overseas are denied equal access to health care just is not true.

Additionally, abortions are generally available overseas. For example, in Italy abortion services comparable to those in the United States are available from Italian providers. In Japan abortion is legal and generally unrestricted. And in Germany when a woman has an abortion she can have it during the first 12 weeks of her pregnancy.

In short, there is simply not any truth to the claim that our servicewomen and dependents overseas do not have equal access to abortion services.

Mr. Chairman, I reserve the balance of my time.

Ms. SANCHEZ. Mr. Chairman, I yield 2 minutes to my friend, the gentlewoman from California (Ms. HARMAN), the co-sponsor of this amendment.

Ms. HARMAN. Mr. Chairman, I rise in strong support of this amendment which I have co-authored with the gentlewoman from California for years. Since 1995, we have tried each year to change the policy that I think truly does harm to women serving in our military overseas.

Mr. Chairman, as we deploy women all over the world in the war on terrorism, it is urgent that they know they have our full support, our prayers and the same rights as every other American woman under our Constitution.

I listened to the last speaker, my good friend the gentleman from Kansas (Mr. RYUN), and it is not the case that military women have the same rights to pay for abortion services overseas as military women who serve at home. There are limited rights to abortion services overseas, but they are not the same rights that military women in America have. It is this difference that we seek to eliminate with this amendment.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Mr. Chairman, over 100,000 women, active service members, spouses and dependents of military personnel live on military bases overseas and rely on military hospitals for their medical care. It is not fair for them to have to violate their personal privacy to reveal that they are pregnant in order to get permission to fly home to have a safe abortion in an American hospital.

We are not asking the Federal government to pay for abortions overseas. We are not asking military doctors who have moral, religious or ethical objections to perform abortions overseas. All we are asking is that servicewomen stationed abroad have the same constitutional rights as servicewomen living here.

Mr. Chairman, they have earned those rights. They are putting their lives on the line to preserve our freedom. We should not ask them potentially to sacrifice their lives to secure an abortion.

Mr. RYUN of Kansas. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I rise today to speak against this amendment to expand abortion services in military hospitals overseas. Let us be clear on what we are really talking about. What this amendment does is to allow the use of hard earned taxpayer dollars to fund abortions in our military overseas hospitals. This violates the strongly held convictions of millions of Americans who do not want their tax dollars going to fund activities that they believe are wrong.

The other side will argue that the procedure will be paid for by the woman seeking the abortion. But this clearly ignores the obvious fact that the infrastructure, the medical facilities, the equipment are all paid for with taxpayer dollars. This amendment is fundamentally about how we use our taxpayer dollars, which should not be a controversial issue. The overwhelming majority of taxpayers oppose the use of publicly held Federal dollars for abortion.

This amendment has been rejected six times by the same House. Do the right thing today and vote against the passage of this amendment again.

Ms. SANCHEZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, just for the gentlewoman's sake, the individual who would get the abortion done would have to pay for the abortion herself. This is not a public expense.

Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. KIRK), my colleague on the committee.

Mr. KIRK. Mr. Chairman, I take a point of personal privilege first to wish the best of luck to Hoover House at the University of Chicago in their ancient and honorable scavenger hunt.

I rise in support of the Sanchez amendment because it guarantees American women in uniform that they can use their own funds for all legal options in their health care. As a Naval

officer I served at Incirlik Air Base in Adana, Turkey. I know of the outstanding clinics available on base and also of the poor conditions available at the Adana Turkish City Hospital. I believe that U.S. service men and women should be treated on base by American doctors and that our women in uniform should not be forced into some clinic where English is not spoken.

I commend the gentlewoman, and this amendment should be adopted.

Mr. RYUN of Kansas. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. BARTLETT).

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, first of all, I would like to note that terminating the life of a fetus is not properly defined as a reproductive service.

For many years we had no law respecting whether abortions could or could not be performed in medical facilities. We simply did not need one because military medical personnel would not perform abortions. Abortions for life of the mother, rape or incest are currently permitted in military facilities. And what this amendment asks for are abortions that fully 80 percent of Americans oppose; that is, abortion for birth control.

When you remove life of the mother, rape and incest, that is all that is left. Approving this amendment would be a major affront to our brave military medical people who do not want abortions performed in their facilities. Please vote against this motion.

MOTION TO RISE OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Chairman, I move the Committee do now rise.

The CHAIRMAN. The question is on the motion to rise offered by the gentleman from Mississippi (Mr. TAYLOR).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. TAYLOR of Mississippi. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 58, noes 325, answered “present” 1, not voting 50, as follows:

[Roll No. 148]

AYES—58

Abercrombie	Hill	Miller, George	Tanner	Udall (NM)	Wu
Baldwin	Holt	Nadler	Taylor (MS)	Visclosky	
Barrett	Honda	Napolitano	Towns	Waters	
Berry	Jefferson	Oberstar			
Blumenauer	Johnson, E. B.	Olver			
Bonior	Kaptur	Ortiz			
Boyd	Langevin	Owens			
Brady (PA)	Larson (CT)	Pascarell			
Capuano	Lee	Pelosi			
Condit	Lofgren	Peterson (MN)			
Conyers	Lucas (KY)	Rodriguez			
Costello	Lynch	Sanchez			
DeGette	Markey	Schakowsky			
Delahunt	Matsui	Shows			
Doggett	McDermott	Slaughter			
Filner	McGovern	Solis			
Frank	McIntyre	Stenholm			
			Aderholt	Forbes	Maloney (NY)
			Akin	Ford	Manzullo
			Allen	Fossella	Mascara
			Andrews	Frelinghuysen	Matheson
			Armey	Frost	McCarthy (MO)
			Baca	Gallegly	McCarthy (NY)
			Bachus	Ganske	McCollum
			Baird	Gekas	McCrery
			Baker	Gephardt	McHugh
			Baldacci	Gibbons	McInnis
			Bartlett	Gilchrest	McKeon
			Barton	Gilman	McKinney
			Bass	Gonzalez	McNulty
			Becerra	Goode	Meehan
			Bentsen	Goodlatte	Meek (FL)
			Bereuter	Graham	Meeks (NY)
			Berkley	Granger	Mica
			Biggert	Graves	Miller, Dan
			Bilirakis	Green (TX)	Miller, Gary
			Bishop	Green (WI)	Miller, Jeff
			Blagojevich	Greenwood	Mollohan
			Blunt	Grucci	Moore
			Boehlert	Gutierrez	Moran (KS)
			Bonilla	Gutknecht	Moran (VA)
			Bono	Hall (TX)	Morella
			Boozman	Hansen	Murtha
			Borski	Harman	Myrick
			Boswell	Hart	Neal
			Boucher	Hastings (FL)	Ney
			Brady (TX)	Hastings (WA)	Northup
			Brown (FL)	Hayes	Nussle
			Brown (OH)	Hayworth	Obey
			Brown (SC)	Hefley	Osborne
			Bryant	Herger	Otter
			Burr	Hilliard	Pallone
			Buyer	Hinchey	Pastor
			Callahan	Hinojosa	Paul
			Calvert	Hobson	Payne
			Camp	Hoeffel	Peterson (PA)
			Cantor	Hoekstra	Petri
			Capito	Holden	Phelps
			Capps	Hooley	Pickering
			Cardin	Horn	Pitts
			Carson (IN)	Hostettler	Pombo
			Carson (OK)	Houghton	Pomeroy
			Castle	Hoyer	Portman
			Chabot	Hunter	Price (NC)
			Chambliss	Hyde	Putnam
			Clement	Inslee	Quinn
			Clyburn	Isakson	Rahall
			Coble	Israel	Ramstad
			Collins	Issa	Rangel
			Cooksey	Istook	Regula
			Cox	Jackson (IL)	Rehberg
			Coyne	Jackson-Lee	Rivers
			Cramer	(TX)	Roemer
			Crenshaw	Jenkins	Rogers (KY)
			Crowley	Johnson (CT)	Rogers (MI)
			Cubin	Johnson (IL)	Rohrabacher
			Cummings	Johnson, Sam	Ros-Lehtinen
			Cunningham	Jones (NC)	Ross
			Davis (CA)	Jones (OH)	Rothman
			Davis (FL)	Kanjorski	Roybal-Allard
			Davis (IL)	Keller	Royce
			Davis, Jo Ann	Kelly	Rush
			Davis, Tom	Kennedy (RI)	Ryun (KS)
			Deal	Kerns	Sabo
			DeLauro	Kildee	Sandlin
			DeLay	Kilpatrick	Sawyer
			DeMint	Kind (WI)	Saxton
			Deutsch	King (NY)	Schiff
			Dicks	Kingston	Schrock
			Dingell	Kirk	Scott
			Dooley	Klecza	Sensenbrenner
			Doolittle	Knollenberg	Serrano
			Doyle	Kolbe	Sessions
			Dreier	Kucinich	Shadegg
			Duncan	LaFalce	Shaw
			Dunn	LaHood	Shays
			Edwards	Lampson	Sherman
			Ehlers	Lantos	Sherwood
			Ehrlich	Larsen (WA)	Shimkus
			Emerson	Latham	Shuster
			Engel	Leach	Simmons
			English	Levin	Skeen
			Eshoo	Lewis (CA)	Skelton
			Etheridge	Lewis (KY)	Smith (MI)
			Evans	Linder	Smith (NJ)
			Everett	Lipinski	Smith (TX)
			Farr	LoBiondo	Smith (WA)
			Fattah	Lowey	Snyder
			Ferguson	Lucas (OK)	Spratt
			Flake	Luther	Stearns
			Fletcher	Maloney (CT)	Strickland

Stump	Thurman	Watts (OK)
Stupak	Tiahrt	Weiner
Sullivan	Tiberti	Weldon (FL)
Sununu	Tierney	Weldon (PA)
Sweeney	Toomey	Weller
Tancred	Turner	Wexler
Tauscher	Udall (CO)	Whitfield
Tauzin	Upton	Wicker
Taylor (NC)	Velazquez	Wilson (NM)
Terry	Vitter	Wilson (SC)
Thomas	Walden	Wolf
Thompson (CA)	Walsh	Wynn
Thompson (MS)	Wamp	Young (AK)
Thornberry	Watkins (OK)	Young (FL)
Thune	Watt (NC)	

ANSWERED "PRESENT"—1

DeFazio

NOT VOTING—50

Ackerman	Goss	Platts
Ballenger	Hall (OH)	Pryce (OH)
Barcia	Hilleary	Radanovich
Barr	Hulshof	Reyes
Berman	John	Reynolds
Boehner	Kennedy (MN)	Riley
Burton	LaTourette	Roukema
Cannon	Lewis (GA)	Ryan (WI)
Clay	Menendez	Sanders
Clayton	Millender-	Schaffer
Combest	McDonald	Simpson
Crane	Mink	Souder
Culberson	Nethercutt	Stark
Diaz-Balart	Norwood	Trafficant
Foley	Ose	Watson (CA)
Gillmor	Oxley	Waxman
Gordon	Pence	Woolsey

□ 2117

Mrs. MYRICK, Ms. ROYBAL-ALLARD and Mr. HOEKSTRA changed their vote from "aye" to "no."

Ms. SOLIS changed her vote from "no" to "aye."

So the motion to rise was rejected.

The result of the vote was announced as above recorded.

Ms. SANCHEZ. Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I rise in strong support of the Sanchez amendment. Women who volunteer to join the armed services, who risk their lives in faraway places, are asked now to compromise their constitutional right to choose. And she is also having to make a decision to compromise her health, because we are not talking about her life that may be at stake, but if she needs this medical procedure of an abortion to save her health, she may have to make the decision not to do that.

Let us be clear. This amendment simply gives American women overseas the same legal rights they would receive if they are at home. It does not provide public funding for abortions. It simply allows women to use their own money to pay for the procedure. It does not force medical personnel at military hospitals overseas to perform the procedure. They would still be allowed the option not to perform abortions based on moral, religious, or ethical objections.

This amendment is necessary for women's health. The current ban places women's health at risk by not allowing them the full range of reproductive health. I urge a "yes" vote on the Sanchez amendment.

Mr. RYUN of Kansas. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, with all due respect to the gentlewoman from California, the amendment that she offers, if enacted, will result in babies being brutally killed by abortion and will force pro-life Americans to facilitate the slaughter of innocent children. This is an abortion facilitation amendment. It will turn our military hospitals into abortion mills.

Mr. Chairman, it is time we ended our collective denial. Abortion is violence against children. Some abortion methods dismember and rip apart the fragile, precious bodies of children. Abortion methods also chemically poison children. There is nothing benign, there is nothing curing or nurturing about abortion. It is violence against children.

We worry a lot about chemical weapons, especially in the post-anthrax scare that we had, which actually affected my own district. What do my colleagues think these abortion chemicals do to children when they are injected into the amniotic sac? A high-concentrated saline badly burns the baby. It is violence against children.

Let us be about nurturing, promoting prenatal care and maternal health care, not the killing of babies.

Ms. SANCHEZ. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I thank the gentlewoman for yielding me this time and also for her persistence each year in trying to bring some equity to women and dependents who are serving in our Nation's military.

I rise in strong support of the Sanchez amendment to overturn what is a very and extremely discriminatory policy of denying servicewomen and female military dependents from using their own funds, mind you, for abortions at overseas military hospitals. At a time when many servicewomen are overseas fighting in Afghanistan, it is wrong to deny them access to vital reproductive health services. Women in the military should be able to depend on their base hospitals for all of their health care services.

A repeal of the current law ban on privately funded abortions would allow women access to the same range and the same quality of medical care available in the United States. I urge my colleagues to support the Sanchez amendment. We owe it to our women fighting abroad and serving in our military proudly throughout the world.

Mr. RYUN of Kansas. Mr. Chairman, I yield 1 minute and 10 seconds to the gentlewoman from Pennsylvania (Ms. HART).

Ms. HART. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in opposition to the amendment.

Despite what some of my colleagues have argued, American women in overseas military bases are not in danger if they cannot receive an abortion at a military facility. Pregnancy is not a

disease. Those facilities are to treat illness and disease and provide normal health care.

First, let us make clear what the United States policy is regarding overseas bases. For countries where abortion is banned, this amendment would do nothing to allow women stationed in these countries to have an abortion at a military facility. Why? Because U.S. military adheres to a country's local laws regarding abortions.

For example, South Korea bans abortions, meaning they will always be banned on military bases located in South Korea. This amendment will do nothing to change that policy. Further, in countries where abortion is legal, such as Germany, women may travel off base to receive an abortion, if they choose. While I would hope these women would not choose to have an abortion, they are not denied transportation, and the procedure can be done in a sanitary facility.

According to the Congressional Research Service, it is estimated that 1,500 women have left military facilities to have abortions since 1993. That could have been translated into an average of about 150 abortions a year at taxpayer-funded medical facilities.

This amendment would not do what its proponents claim. It is not about whether or not we want to permit our overseas military hospitals and facilities to perform abortions only; it is about spending taxpayer monies to do so.

Mr. RYUN of Kansas. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. SULLIVAN).

Mr. SULLIVAN. Mr. Chairman, I thank my colleague from Kansas for yielding me this time, and I rise in opposition to this amendment.

As a reminder, the same amendment has been rejected by the House six times previously. I receive letters from my constituents, current retired servicemen and women about their concerns over services through the military health care system and the budget crunch it is facing. The men and women of our Armed Forces face enough medical concerns already, including preparing for serious threats like biological and chemical weapon attacks, without turning them into abortion clinics.

Adding unnecessary mandates to the current doctors and nurses would be a disservice. The primary mission of the military medical service system is to maintain the health of the military personnel. The system is designed to keep military personnel healthy so they can carry out their missions. In support of those in uniform, the military medical system also provides, where space is available, health care services to dependents of active-duty servicemembers and retirees and their dependents. These duties are enough to keep the system busy without adding unnecessary duties.

Another reminder: for the 3 years abortions were allowed at military facilities under the Clinton administration, military physicians refused to perform them, forcing the Clinton administration to hire civilians to perform abortions.

Ms. SANCHEZ. Mr. Chairman, I yield 1 minute to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Chairman, I rise in favor of this particular amendment, which would allow for self-funded abortions to be conducted at military hospitals, which is vitally important for servicewomen and female dependents overseas.

This is about the availability of safe, sanitary facilities and well-trained professional staff. It is also about confidentiality. No woman should have to explain to a superior, employer, or superior in the military why she wishes to avail herself of a right that is provided under the Constitution of the United States. Currently, it is required that service individuals, servicewomen, tell their superior officer what their situation is in order to be given the opportunity to come back to the United States to avail themselves of safe, sanitary facilities. That is wrong.

I rise in support of the amendment.

Mr. RYUN of Kansas. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise today in opposition to the Sanchez amendment. For 6 years in a row, the House has rejected the Sanchez amendment.

As the former chairwoman of Feminists For Life, Frederica Matthews-Green, said, abortion is violence. Abortion is the most violent form of death known to mankind. It is death by dismemberment, decapitation, ripping the body apart, or poisoning. And she said there are always two victims with an abortion: one is the mother, the other is the baby. One is dead; one is wounded.

We should not be turning our military hospitals into abortion clinics. We should not be subsidizing with American taxpayer money military hospitals so that they can become abortion clinics. I urge Members to maintain the current law and vote "no" on the Sanchez amendment.

MOTION TO RISE OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I move that the Committee rise and report the bill back to the House with the recommendation that the enactment clause be stricken.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. ROEMER. Mr. Chairman, I rise to talk about why the motions to rise from the committee, offered by the gentleman from Mississippi (Mr. TAYLOR), are a valuable contribution to this House, to the democratic principles, and actually to this bill.

When we started debate on this bill earlier this afternoon, the Committee on Rules, which sits above this Cham-

ber, a floor away, reported a rule that brought the defense authorization bill to the floor but did not allow a host of amendments to be offered on this bill, amendments that would make defense stronger; amendments that would save the taxpayer money; amendments that dealt with foreign policy and the amount of troops that could be in Colombia; amendments that would involve the BRACC commission and the closure of bases in this country.

All those amendments were thrown by the wayside. And the body, 435 Members of Congress, were told they could bring their ideas to the House floor, the people's House.

□ 2130

Mr. Chairman, if the Senate is called the deliberative people, we in this great body are called the people's House, and we are elected from Colorado and Indiana. We are elected from California and Maine and Florida. We are elected by 570,000 people to bring our ideas through amendments and legislation to this great hall, and to try to improve bills, to try to speak out on farm policy, on space policy, on banking regulations, to try to talk about the unemployed and the poor; and yes, to strengthen a defense bill.

But today, Mr. Chairman, we are silenced. Yes, some Members could offer amendments, but most of the 435 could not. The gentleman from Mississippi (Mr. TAYLOR) has been trying to offer his amendment on base closures. I would probably oppose his amendment; but he has the right to offer that amendment, to have that speech in this body, to have that freedom that we have in the House of Representatives to debate ideas.

After all, Mr. Chairman, our defense, our men and women, our troops overseas tonight, are in the cold mountains of Tora Bora fighting terrorists for us and for the principles that we hold dear in this Chamber. Ideas, speech, debate, all these wonderful things that the Founding Fathers put together 225 years ago, but we cannot do them today. I do not think that is right. I do not think that is what the great House is about. I think this could have been a much shorter day, quite frankly, if we would have been allowed the opportunity to debate just a few of these amendments.

I know that there are Republicans that had good ideas, good amendments, good principles to bring forward here, but the Committee on Rules said no. The Committee on Rules said no to Democrats. This year, Mr. Chairman, a motion to recommit was denied the minority for the first time in 35 years, to offer our ideas as the minority party. Who knows who will be the minority party next year, but the minority right should rule around here, that we have an opportunity to offer a motion to recommit, and the right to offer amendments for debate, and let the majority vote them up or down.

While the gentleman from North Carolina (Mr. TAYLOR) may have an

amendment I disagree with, he has a right and a principle I strongly agree with, and that is the right to debate in this great Chamber.

I would hope that we put partisanship and party behind us tonight, and put principle and value in front of us and allow more amendments tonight and more amendments in the future on our bills.

Mr. Chairman, I ask unanimous consent to withdraw my motion.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. RYUN of Kansas. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Is there any Member who wishes to speak in opposition to the motion?

Mr. RYUN of Kansas. Mr. Chairman, I rise in opposition to the motion; but in fairness to Members and staff that are here, I yield back the balance of my time.

The CHAIRMAN. The question is on the motion to rise offered by the gentleman from Indiana (Mr. ROEMER).

The motion was rejected.

The CHAIRMAN. The gentleman from Kansas (Mr. RYUN) has 1¼ minutes remaining on the Sanchez amendment, and the gentlewoman from California (Ms. SANCHEZ) has 2 minutes remaining on the Sanchez amendment.

MOTION TO RISE OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion to rise offered by the gentleman from Mississippi (Mr. TAYLOR).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. TAYLOR of Mississippi. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 75, noes 319, answered "present" 1, not voting 39, as follows:

[Roll No. 149]

AYES—75

Abercrombie	Hilliard	Oberstar
Ackerman	Holt	Olver
Baldwin	Honda	Ortiz
Barrett	Israel	Pascarell
Becerra	Jackson-Lee	Pelosi
Berry	(TX)	Peterson (MN)
Blumenauer	Jefferson	Rahall
Bonior	Johnson, E. B.	Rodriguez
Boyd	Jones (OH)	Sanchez
Brady (PA)	Kaptur	Sanders
Capuano	Langevin	Schakowsky
Condit	Lantos	Shows
Conyers	Larson (CT)	Skelton
Costello	Lee	Slaughter
Cummings	Loftgren	Solis
Davis (FL)	Lynch	Stark
DeGette	Markey	Stenholm
Delahunt	Matsui	Tanner
Doggett	McDermott	Taylor (MS)
Eshoo	McGovern	Thurman
Evans	McIntyre	Towns
Filner	Meeks (NY)	Udall (NM)
Ford	Miller, George	Waters
Frank	Mink	Wu
Hastings (FL)	Moore	
Hill	Napolitano	

NOES—319

Aderholt	Gilchrest	Miller, Gary
Akin	Gilman	Miller, Jeff
Allen	Gonzalez	Mollohan
Andrews	Goode	Moran (KS)
Armedy	Goodlatte	Moran (VA)
Baca	Gordon	Murtha
Bachus	Goss	Myrick
Baker	Graham	Nadler
Baldacci	Granger	Neal
Barcia	Graves	Ney
Bartlett	Green (TX)	Northup
Barton	Green (WI)	Norwood
Bass	Greenwood	Obey
Bentsen	Grucci	Osborne
Bereuter	Gutierrez	Otter
Berkley	Gutknecht	Owens
Berman	Hall (TX)	Pallone
Biggert	Harman	Pastor
Bilirakis	Hart	Paul
Bishop	Hastings (WA)	Payne
Blagojevich	Hayes	Pence
Blunt	Hayworth	Peterson (PA)
Boehrlert	Hefley	Petri
Bonilla	Herger	Phelps
Bono	Hilleary	Pickering
Boozman	Hinchey	Pitts
Borski	Hinojosa	Platts
Boswell	Hobson	Pombo
Boucher	Hoefel	Pomeroy
Brady (TX)	Hoekstra	Portman
Brown (FL)	Holden	Price (NC)
Brown (OH)	Hookey	Putnam
Brown (SC)	Horn	Quinn
Bryant	Hostettler	Radanovich
Burr	Houghton	Ramstad
Buyer	Hoyer	Rangel
Callahan	Hyde	Regula
Calvert	Inslee	Rehberg
Camp	Isakson	Reynolds
Cantor	Issa	Rivers
Capito	Istook	Roemer
Capps	Jackson (IL)	Rogers (KY)
Cardin	Jenkins	Rogers (MI)
Carson (IN)	Johnson (CT)	Rohrabacher
Carson (OK)	Johnson (IL)	Ros-Lehtinen
Castle	Johnson, Sam	Ross
Chabot	Jones (NC)	Rothman
Chambliss	Kanjorski	Roybal-Allard
Clement	Keller	Royce
Clyburn	Kelly	Rush
Coble	Kennedy (RI)	Ryun (KS)
Collins	Kerns	Sabo
Combest	Kildee	Sandlin
Cooksey	Kilpatrick	Sawyer
Cox	Kind (WI)	Saxton
Coyne	King (NY)	Schiff
Cramer	Kingston	Schrock
Crenshaw	Kirk	Scott
Crowley	Klecicka	Sensenbrenner
Cubin	Knollenberg	Serrano
Culberson	Kolbe	Sessions
Cunningham	Kucinich	Shadegg
Davis (CA)	LaFalce	Shaw
Davis (IL)	LaHood	Shays
Davis, Jo Ann	Lampson	Sherman
Davis, Tom	Larsen (WA)	Sherwood
Deal	Latham	Shimkus
DeLauro	LaTourette	Shuster
DeMint	Leach	Simmons
Deutscher	Levin	Skeen
Diaz-Balart	Lewis (CA)	Smith (MI)
Dicks	Lewis (KY)	Smith (NJ)
Dingell	Linder	Smith (TX)
Doolittle	Lipinski	Smith (WA)
Doyle	LoBiondo	Snyder
Dreier	Lowey	Souder
Duncan	Lucas (KY)	Spratt
Dunn	Lucas (OK)	Stearns
Edwards	Luther	Strickland
Ehlers	Maloney (CT)	Stump
Ehrlich	Maloney (NY)	Stupak
Emerson	Manzullo	Sullivan
Engel	Mascara	Sununu
English	Matheson	Sweeney
Etheridge	McCarthy (MO)	Tancredo
Farr	McCarthy (NY)	Tauscher
Fattah	McCollum	Tauzin
Ferguson	McCrery	Taylor (NC)
Flake	McHugh	Terry
Fletcher	McInnis	Thomas
Foley	McKeon	Thompson (CA)
Forbes	McKinney	Thompson (MS)
Fossella	McNulty	Thornberry
Frelinghuysen	Meehan	Thune
Frost	Meek (FL)	Tiahrt
Gallely	Menendez	Tiberi
Gekas	Mica	Tierney
Gibbons	Miller, Dan	Turner

Udall (CO)	Watt (NC)	Wilson (NM)
Upton	Watts (OK)	Wilson (SC)
Velazquez	Weiner	Wolf
Visclosky	Weldon (FL)	Woolsey
Vitter	Weldon (PA)	Wynn
Walden	Weller	Young (AK)
Walsh	Wexler	Young (FL)
Wamp	Whitfield	
Watkins (OK)	Wicker	

ANSWERED "PRESENT"—1

DeFazio

NOT VOTING—39

BairdBallenger	Gillmor	Ose
Barr	Hall (OH)	Oxley
Boehner	Hansen	Pryce (OH)
Burton	Hulshof	Reyes
Cannon	Hunter	Riley
Clay	John	Roukema
Clayton	Kennedy (MN)	Ryan (WI)
Crane	Lewis (GA)	Schaffer
DeLay	Millender-	Simpson
Dooley	McDonald	Toomey
Everett	Morella	Trafficant
Ganske	Nethercutt	Watson (CA)
Gephardt	Nussle	Waxman

□ 2159

Mr. COX changed his vote from "aye" to "no."

Ms. ESHOO changed her vote from "no" to "aye."

So the motion to rise was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The gentleman from Kansas (Mr. RYUN) has 1¼ minutes remaining and the gentlewoman from California (Ms. SANCHEZ) has 2 minutes remaining.

Ms. SANCHEZ. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Chairman, I rise in support of the Sanchez-Harman amendment to H.R. 4546, which would simply lift the current ban on privately funded abortions at U.S. military facilities overseas.

Mr. Chairman, our service men and women take an oath of office like our oath of office to support and defend the Constitution.

□ 2200

Yet, they are denied their constitutional right to privacy and to a safe and legal, accessible abortion under Roe v. Wade.

I have an opportunity to visit bases in my district very regularly, and I actually have been surprised, but I should not be, that I have been approached by servicemen and women about this issue, and by the men whose wives serving our country have to return home from their overseas station because of an unwanted and unexpected pregnancy. This is a fairness issue. For those protecting our freedom overseas, we need to allow them the same rights to access abortions as women in the United States.

Mr. Chairman, I urge Members to support this amendment.

Ms. SANCHEZ. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman, I want to read a little portion of a letter that I received from a woman who has spent 10 years in the Army serving her country, this country. She wrote about the fact that she had an unwanted pregnancy and the de-

tails of what she had to do in order to come back to this country to receive that reproductive service.

She writes, "I can remember thinking at the time how unfair it was that I had to resort to these drastic measures. Had I been in the States, it would not have been this way. I can remember being resentful of my fellow male comrades who were able to have vasectomies paid for by the military in Germany, and yet I had to use my leave time and own funds to fly back to the U.S. for what is also a reproductive choice. Women in the military are denied their right to control their reproductive process while abroad, although men in the military enjoy the same rights abroad as they do in the States."

And she ends, "Please continue to fight for our service women. I was one of them, and I feel we are entitled to the same rights as our servicemen, or at least that is what I thought I was fighting for."

Mr. RYUN of Kansas. Mr. Chairman, I yield the balance of the time to the distinguished gentleman from Illinois (Mr. HYDE).

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Chairman, I have been around here for some time; this is my 28th year. Every year we talk about the military budget and military hospitals. I am convinced that the purpose of a military hospital is for military medical readiness and to save lives; to save lives, not to take life.

Now, we have heard lots of words about the pregnant woman and her discomfort, and I sympathize with that situation very much so, but not one scintilla, not one thought, has been given to the unborn child.

How many of my colleagues have held a newborn baby in their arms? That is what we are talking about. We are talking about abortion, not reproductive rights. Reproductive. There is nothing reproductive about an abortion. It is contra-reproductive. An abortion kills a little baby once it has begun its life.

There is no choice involved except a dead baby or a live baby. That is the choice that is involved.

Now, we know what an abortion is, even though we want to euphemize it by saying reproductive choice, the product of conception. The little baby is not killed; it undergoes demise. We know all of the beautiful euphemisms. But the other part of this equation is simply the fact that the American taxpayers contain millions of people who resist, as a matter of conscience, participating in this killing of an innocent, vulnerable, defenseless, unborn child, and their tax dollars are involved, because tax dollars have built the hospital, tax dollars maintain the hospital, and the consciences of those people ought to be respected.

Vote no.

Mrs. LOWEY. Mr. Chairman, I rise in strong support of the Sanchez amendment, which

would allow military women and dependents stationed overseas to obtain abortion services with their own money. I want to thank my colleague LORETTA SANCHEZ for her fine work on this important issue.

Over 100,000 women live on American military bases abroad. These women risk their lives and security to protect our great and powerful nation. These women work to protect the freedoms of our country. And yet, these women—for the past eight years—have been denied the very Constitutional rights they fight to protect.

My colleagues, this restriction is un-American, undemocratic, and would be unconstitutional on U.S. soil. How can this body deny constitutional liberties to the very women who toil to preserve them? Mr. Chairman, as we work to promote and ensure democracy worldwide we have an obligation to ensure that our own citizens are free while serving abroad. Our military bases should serve as a model of democracy at work, rather than an example of freedom suppressed.

This amendment is not about taxpayer dollars funding abortions because no federal funds would be used for these services. This amendment is not about health care professionals performing procedures they are opposed to because they are protected by a broad exemption. This amendment is about ensuring that all American women have the ability to exercise their Constitutional right to privacy and access safe and legal abortion services.

Mr. Chairman, as our nation works to preserve our freedoms and democracy, now is not the time to put barriers in the path of our troops overseas. We know that the restriction on abortion does nothing to make abortion less necessary—it simply makes abortion more difficult and dangerous.

It is time to lift this ban, and ensure the fair treatment of our military personnel. I urge passage of the Sanchez amendment.

Mr. BLUMENAUER. Mr. Chairman, I support the pro-choice Amendment offered by Representative SANCHEZ to the Defense Authorization bill. This amendment restores the right of female service members and dependents who are stationed overseas to use their personal funds to obtain abortions.

Current law prohibits United States military service members and their dependents stationed overseas from obtaining an abortion in military hospitals, even if they pay for the procedure with their own funds. The defense authorization bill that we are considering today leaves this prohibition in place, while the Sanchez amendment removes this restriction.

This ban threatens women's health and privacy. Women stationed overseas rely on their base hospitals for medical care and are often in areas where local health care facilities are inadequate or unavailable. This ban may compel a woman to postpone the procedure while she looks for a provider, or may force a woman facing an unplanned pregnancy to seek an illegal, unsafe abortion. Alternatively, she may have to inform her superiors about her need for an abortion and wait until there is space available on a military flight back to the United States, sacrificing her privacy and increasing her health risk with potentially risky delays. The ban is especially unjust because the government is not determining how and where American tax dollars are spent; it is dictating to women what they can and cannot do with their own money.

Women serving overseas, defending Americans' liberties, should not be denied the very rights they are charged with protecting simply because they are serving abroad. I urge my colleagues to reject this anti-choice strategy and vote for the Sanchez amendment.

Mr. NADLER. Mr. Chairman, I rise today in strong support of Representative SANCHEZ's amendment.

This amendment is about recognizing the rights and dignity of our women in the armed forces. It grants those serving overseas and their dependents access to appropriate reproductive health care. It is really a very limited amendment to correct a policy that never should have been enacted in the first place. This amendment does not impose Department of Defense funding for abortion. Rather, it simply allows women to obtain safe abortion services using their own funds in U.S. military hospitals outside of the United States.

The current ban increases women's health risks and denies women their basic constitutional right to privacy. It requires a woman to inform her superiors of her need for abortion and wait until there is space available on a military flight back to the United States. This delay puts women's lives in jeopardy.

Furthermore, women serving our country today depend on their military base hospital for medical care in areas where local health care facilities may be inadequate or unavailable. The health of a servicewoman is threatened when she has to look outside of the base for a safe provider of the medical attention she needs. The current policy may even force a woman to seek back alley or unsafe abortion when facing a crisis pregnancy.

In addition, the ban discriminates against the women serving our country overseas. This amendment would ensure equal access to comprehensive reproductive health care for all U.S. servicewoman and dependents, regardless of where they are stationed.

We should provide the best possible medical attention to our military personnel, and that includes reproductive health services. We ought to pass this amendment now. We owe it to the women in our armed services who risk their lives everyday to protect liberty and fight for our freedom. They work hard every day to promote our safety, let's act today to protect their safety. I urge my colleagues to vote for the Sanchez amendment.

The CHAIRMAN. All time having expired, the question is on the amendment offered by the gentlewoman from California (Ms. SANCHEZ).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. SANCHEZ. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California (Ms. SANCHEZ) will be postponed.

It is now in order to consider amendment No. 8.

MOTION TO RISE OFFERED BY Mr. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion to rise offered by the gentleman from Mississippi (Mr. TAYLOR).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TAYLOR of Mississippi. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count for a quorum.

One hundred Members being present, the point of no quorum is overruled.

RECORDED VOTE

Mr. TAYLOR of Mississippi. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 83, noes 312, not voting 39, as follows:

[Roll No. 150]

AYES—83

Abercrombie	Gordon	Ortiz
Baird	Hill	Pascarell
Baldacci	Hilliard	Pelosi
Baldwin	Hinchey	Rahall
Barrett	Hinojosa	Rangel
Becerra	Hoeffel	Rodriguez
Berry	Holt	Roybal-Allard
Blumenauer	Honda	Sanchez
Bonior	Jackson-Lee	Sanders
Boyd	(TX)	Schakowsky
Brady (PA)	Jefferson	Shows
Brown (FL)	Johnson, E. B.	Slaughter
Capps	Langevin	Solis
Capuano	Lantos	Stark
Condit	Larson (CT)	Stenholm
Conyers	Lee	Stupak
Costello	Lofgren	Tanner
Crowley	Lynch	Taylor (MS)
Cummings	Markey	Thompson (CA)
DeGette	Matsui	Thompson (MS)
Dicks	McDermott	Thurman
Doggett	McGovern	Towns
Dooley	McIntyre	Udall (NM)
Eshoo	Meeks (NY)	Velazquez
Evans	Miller, George	Waters
Filner	Moore	Wexler
Ford	Napolitano	Woolsey
Frank	Oberstar	Wu

NOES—312

Ackerman	Chabot	Forbes
Aderholt	Chambliss	Fossella
Akin	Clement	Frelinghuysen
Allen	Clyburn	Frost
Andrews	Coble	Gallegly
Armey	Collins	Ganske
Baca	Cox	Gekas
Bachus	Coyne	Gephardt
Baker	Cramer	Gibbons
Ballenger	Crenshaw	Gilchrest
Barcia	Cubin	Gillmor
Bartlett	Culberson	Gilman
Barton	Cunningham	Gonzalez
Bass	Davis (CA)	Goode
Bentsen	Davis (FL)	Goodlatte
Bereuter	Davis (IL)	Goss
Berkley	Davis, Jo Ann	Graham
Biggart	Davis, Tom	Granger
Billirakis	Deal	Graves
Bishop	DeFazio	Green (TX)
Blagojevich	DeLauro	Green (WI)
Blunt	DeMint	Greenwood
Boehlert	Deutsch	Grucci
Boehner	Diaz-Balart	Gutierrez
Bonilla	Dingell	Gutknecht
Bono	Doolittle	Hall (TX)
Boozman	Doyle	Hansen
Borski	Dreier	Harman
Boswell	Duncan	Hart
Brown (OH)	Dunn	Hastings (FL)
Brown (SC)	Edwards	Hastings (WA)
Bryant	Ehlers	Hayes
Burr	Ehrlich	Hayworth
Buyer	Emerson	Hefley
Callahan	Engel	Heger
Camp	Etheridge	Hilleary
Cantor	Farr	Hobson
Capito	Fattah	Hoeksstra
Cardin	Ferguson	Holden
Carson (IN)	Flake	Hooley
Carson (OK)	Fletcher	Horn
Castle	Foley	Hostettler

Houghton	Meehan	Schiff
Hoyer	Meek (FL)	Schrock
Hulshof	Menendez	Scott
Hunter	Mica	Sensenbrenner
Hyde	Miller, Dan	Serrano
Inslée	Miller, Gary	Sessions
Isakson	Miller, Jeff	Shadegg
Israel	Mollohan	Shaw
Issa	Moran (KS)	Shays
Istook	Moran (VA)	Sherman
Jackson (IL)	Morella	Sherwood
Jenkins	Murtha	Shuster
Johnson (CT)	Myrick	Simmons
Johnson (IL)	Nadler	Simpson
Johnson, Sam	Neal	Skeen
Jones (NC)	Ney	Skelton
Jones (OH)	Northup	Smith (MI)
Kanjorski	Norwood	Smith (NJ)
Kaptur	Obey	Smith (TX)
Keller	Oliver	Smith (WA)
Kelly	Osborne	Snyder
Kennedy (RI)	Otter	Spratt
Kerns	Owens	Stearns
Kildee	Oxley	Strickland
Kilpatrick	Pallone	Stump
Kind (WI)	Pastor	Sullivan
King (NY)	Paul	Sununu
Kingston	Payne	Sweeney
Kirk	Pence	Tancred
Klecza	Peterson (MN)	Tauscher
Knollenberg	Peterson (PA)	Tauzin
Kolbe	Petri	Taylor (NC)
Kucinich	Phelps	Terry
LaFalce	Pickering	Thomas
LaHood	Pitts	Thornberry
Lampson	Platts	Thune
Larsen (WA)	Pomboy	Tiahrt
Latham	Pomeroy	Tiberi
LaTourette	Portman	Tierney
Leach	Price (NC)	Toomey
Levin	Pryce (OH)	Turner
Lewis (CA)	Putnam	Udall (CO)
Lewis (KY)	Quinn	Upton
Lipinski	Ramstad	Visclosky
LoBiondo	Regula	Vitter
Lowe	Rehberg	Walden
Lucas (KY)	Reynolds	Walsh
Lucas (OK)	Rivers	Wamp
Luther	Roemer	Watt (NC)
Maloney (NY)	Rogers (KY)	Watts (OK)
Manzulio	Rogers (MI)	Weiner
Mascara	Rohrabacher	Weldon (FL)
Matheson	Ros-Lehtinen	Weldon (PA)
McCarthy (MO)	Ross	Weller
McCarthy (NY)	Royce	Whitfield
McCollum	Rush	Wicker
McCrery	Ryan (WI)	Wilson (NM)
McHugh	Ryun (KS)	Wilson (SC)
McInnis	Sabo	Wolf
McKeon	Sandlin	Wynn
McKinney	Sawyer	Young (AK)
McNulty	Schaffer	Young (FL)

NOT VOTING—39

Barr	English	Radanovich
Berman	Everett	Reyes
Boucher	Hall (OH)	Riley
Brady (TX)	John	Rothman
Burton	Kennedy (MN)	Roukema
Calvert	Lewis (GA)	Saxton
Cannon	Linder	Shimkus
Clay	Maloney (CT)	Souder
Clayton	Millender	Traficant
Combest	McDonald	Watkins (OK)
Cooksey	Mink	Watson (CA)
Crane	Nethercutt	Waxman
Delahunt	Nussle	
DeLay	Ose	

□ 2230

Mr. LEWIS of California changed his vote from “aye” to “no.”

So the motion to rise was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 8 printed in part A of House Report 107-450.

PART A AMENDMENT NO. 8 OFFERED BY MR. GOODE

Mr. GOODE. Mr. Chairman, I offer amendment No. 8.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 8 offered by Mr. GOODE:

At the end of title X (page 218, after line 15), insert the following new section:

SEC. ____ . ASSIGNMENT OF MEMBERS TO ASSIST IMMIGRATION AND NATURALIZATION SERVICE AND CUSTOMS SERVICE.

(a) ASSIGNMENT AUTHORITY OF SECRETARY OF DEFENSE.—Chapter 18 of title 10, United States Code, is amended by inserting after section 374 the following new section:

“§ 374a. Assignment of members to assist border patrol and control

“(a) ASSIGNMENT AUTHORIZED.—Upon submission of a request consistent with subsection (b), the Secretary of Defense may assign members of the Army, Navy, Air Force, and Marine Corps to assist—

“(1) the Immigration and Naturalization Service in preventing the entry of terrorists, drug traffickers, and illegal aliens into the United States; and

“(2) the United States Customs Service in the inspection of cargo, vehicles, and aircraft at points of entry into the United States to prevent the entry of weapons of mass destruction, components of weapons of mass destruction, prohibited narcotics or drugs, or other terrorist or drug trafficking items.

“(b) REQUEST FOR ASSIGNMENT.—The assignment of members under subsection (a) may occur only if—

“(1) the assignment is at the request of the Attorney General, in the case of an assignment to the Immigration and Naturalization Service, or the Secretary of the Treasury, in the case of an assignment to the United States Customs Service; and

“(2) the request of the Attorney General or the Secretary of the Treasury (as the case may be) is accompanied by a certification by the President that the assignment of members pursuant to the request is necessary to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers.

“(c) TRAINING PROGRAM REQUIRED.—The Attorney General or the Secretary of the Treasury (as the case may be), together with the Secretary of Defense, shall establish a training program to ensure that members receive general instruction regarding issues affecting law enforcement in the border areas in which the members may perform duties under an assignment under subsection (a). A member may not be deployed at a border location pursuant to an assignment under subsection (a) until the member has successfully completed the training program.

“(d) CONDITIONS OF USE.—(1) Whenever a member who is assigned under subsection (a) to assist the Immigration and Naturalization Service or the United States Customs Service is performing duties at a border location pursuant to the assignment, a civilian law enforcement officer from the agency concerned shall accompany the member.

“(2) Nothing in this section shall be construed to—

“(A) authorize a member assigned under subsection (a) to conduct a search, seizure, or other similar law enforcement activity or to make an arrest; and

“(B) supersede section 1385 of title 18 (popularly known as the ‘Posse Comitatus Act’).

“(e) ESTABLISHMENT OF ONGOING JOINT TASK FORCES.—(1) The Attorney General or the Secretary of the Treasury may establish ongoing joint task forces when accompanied by a certification by the President that the assignment of members pursuant to the request to establish a joint task force is necessary to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers.

“(2) When established, any joint task force shall fully comply with the standards as set forth in this section.

“(f) NOTIFICATION REQUIREMENTS.—The Attorney General or the Secretary of the Treasury (as the case may be) shall notify the Governor of the State in which members are to be deployed pursuant to an assignment under subsection (a), and local governments in the deployment area, of the deployment of the members to assist the Immigration and Naturalization Service or the United States Customs Service (as the case may be) and the types of tasks to be performed by the members.

“(g) REIMBURSEMENT REQUIREMENT.—Section 377 of this title shall apply in the case of members assigned under subsection (a).

“(h) TERMINATION OF AUTHORITY.—No assignment may be made or continued under subsection (a) after September 30, 2005.”.

(b) COMMENCEMENT OF TRAINING PROGRAM.—The training program required by subsection (b) of section 374a of title 10, United States Code, shall be established as soon as practicable after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 374 the following new item:

“374a. Assignment of members to assist border patrol and control.”.

The CHAIRMAN. Pursuant to House Resolution 415, the gentleman from Virginia (Mr. GOODE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODE).

□ 2230

Mr. GOODE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of amendment 81. Amendment 81 is a very simple amendment that would authorize the Secretary of Defense to assign members of the Armed Forces to assist the Immigration and Naturalization Service if requested by the head of INS or, if requested, the Secretary of Defense could also, if requested by INS, use the Armed Forces to assist in cases of drug trafficking and also, if needed, to deal with the illegal situation.

Mr. Chairman, I reserve the balance of my time.

Mr. ORTIZ. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Texas (Mr. ORTIZ) is recognized for 10 minutes.

Mr. ORTIZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have been on both sides. I have been in law enforcement and I have been in the military, and I will say one thing, law enforcement and military matters do not mix. And I am just wondering whether my colleagues know that we have 120,000 troops stationed and deployed throughout the world.

I think that we need to focus now on the war that we are fighting now. The new war includes many fronts, including law enforcement on our borders, we have Customs, we have Border Patrol, we have INS and others doing a great job. Since September 11 in the Commerce-Justice appropriations last year,

we funded an additional 570 border patrol men and 348 immigration inspectors. And not only that, Mr. Chairman, in the border security bill that we passed yesterday, we added another 1,600 INS inspectors and investigators. Besides, Mr. Chairman, many of the border States already have the National Guard helping INS, helping the Border Patrol.

We did not want to have a negative impact on the readiness of our troops to bring them from the military role that they are playing now and put them in a civilian role. I think this is wrong, and this is why I oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. GOODE. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. TANCREDI).

Mr. TANCREDI. Mr. Chairman, it is not news to anyone in this House that the borders of this Nation for the most part are porous and undefended. As a result, millions of people have over the last several years entered this country illegally. Most of them come with benign intent. Others come with malicious intent. Among the latter are those that bring drugs into the country.

I recently returned from a visit to the Coronado Forest near Nogales, Arizona, a forest I should say that is under siege, inside siege. This is an area that is experiencing the highest traffic of both humans and illegal drugs. There are so many people coming through in this part of the border into that particular area that the forest has been degraded. There are literally hundreds of footpaths that have been worn into the mountains. There are thousands of acres that have been torched as a result of people leaving their campfires. Mostly these people are undocumented aliens coming through starting campfires and moving on. Most of these people coming through or a great many of them are carrying narcotics on their backs in homemade backpacks. They come in large numbers, they come in small, but they carry tons of illegal narcotics.

Mr. Chairman, they come through in small numbers and in large. They come through with people protecting them with M-16s, and not only that in the same area which had several incursions by members of the Mexican military and of the Mexican federal police. In fact, in the year 2001 there were 23 such incursions along our border, along our southern border, 23 times. In the last 10 years there have been over 100 such incursions. These people are not just lost down there, Mr. Chairman.

This Nation is in fact under siege. Our need, our ability to defend our own borders is well known. Our inability to do so with the resources now available is also well known.

Mr. Chairman, the reality is this, that we cannot protect and defend the borders of the United States at the present time with the present re-

sources, and that is one of our primary and sole responsibilities.

The Federal Government is the only entity charged with the responsibility of defending our borders. We are not doing it now. More help is needed. It is appropriate to give the Department of Defense, it is appropriate to give the President, it is appropriate to give the Attorney General the ability to use the Armed Forces in a case where this Nation is in fact threatened, and I believe we are threatened. We are threatened by drug trafficking. We are threatened by massive immigration. It is definitely an amendment that deserves our support.

Mr. ORTIZ. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. RODRIGUEZ), my good friend, the Vice President of the Hispanic Caucus.

Mr. RODRIGUEZ. Mr. Chairman, as a member of the House Committee on Armed Services, I oppose the amendment that has been raised. Let me first of all say that this amendment is a very serious amendment because of the fact that the President right now has the right to call for troops if he wants them. He has the right to call them. What this amendment allows is the opportunity for the Department of Defense or the Secretary of Defense with a request of the Secretary, Attorney General and Secretary of Treasury to be able to have that influence and be able to move on that as consented by the President. We ought to leave this responsibility to the Commander in Chief and to the President and to do this is a major constitutional change.

In addition, the increase of U.S. troops on the border with Mexico is a dangerous proposal that will leave border residents in danger and reduce military readiness. Our military is the world's best trained fighting force. They are not police officers and they are not border patrol agents. They are trained to fight. And we put our own citizens at risk.

As we know, we have had cases in the past, 4 years ago, when we had the young man killed on the border at Redford, Texas, 18 years old. He was a high school student killed by Marines, so that has already occurred.

At the present time I also want to share with you that for the very first time in recorded history we have over 79,000 both guardsmen and reservists doing full time. At a time when the Army has asked for over 40,000 troops, this bill that we are dealing with today will call for 2,500 additional Army people. But we need over 40,000 of them. So it is a serious situation. When we ask them to do additional work such as this, it is unfair to our fighting men and women and it harms our national security.

The military can provide assistance in numerous ways without this unwarranted diversion of troops. All of our budgets are tight. Putting troops on the border is extremely costly. It is bad to use scarce resources that drain our defense budget and put our readiness at

risk. So I ask we vote no on this amendment.

Mr. GOODE. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. BARTLETT).

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, our President has stated that this is a war like none other we have ever fought. Before September 11 no one ever dreamed that we would have our Armed Services guarding our airports.

Certainly we should permit the disposition of our troops anywhere they might be needed in the future to protect our national security and our vital interests, and this certainly includes the border. This is not obligatory legislation. This is only permissive legislation. How could we not vote to prevent the disposition of our troops on the border if in the view of our Commander in Chief, and it will not be done without his knowledge and therefore his presumed ascent, how could we preclude him from using the our troops that he feels is necessary on the border? There is no valid reason that this legislation should not be passed. I urge its acceptance.

Mr. ORTIZ. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, my good friend from Colorado (Mr. TANCREDI) that just spoke a few minutes ago was in actuality setting up a scenario of guerrilla warfare on the soil of the United States of America.

Frankly, this amendment is not needed. Just a few weeks ago this House passed H.R. 3231, the Immigration Reform bill, which enhanced the services and the dollars for our border patrol agents. There is no proof that any military at any points of entry anywhere on September 11 could have prevented the heinous and horrific acts of terrorists coming and doing the tragedy of September 11. There is no proof, no proof that military could stop terrorists coming across the border. There is no proof that the terrorists who acted on September 11 walked across our border.

We have very able border patrol agents, professionally enhanced with the dollars that we are providing in the immigration bill, and we should focus our attention to making sure that we have the resources for our civilian Border Patrol.

Under the terminology of the posse comitatus, we should not use the military for police and local functions.

I think it is important for this House to make several statements: One, we will protect this Nation and the people within it, but immigration does not equate to terrorism. And the use of the military for this reason undermines

the very purpose of their service. If we begin to take military personnel out of individual units across this Nation, we will have a domino effect of ineffectiveness and unreadiness to be able to fight the kind of wars and the kinds of circumstances that our military brass determined that they should fight.

I will also note that years ago, some years ago or a couple of years ago, when this bill came forward, it was well known that the Defense Department is not for it, the Department of Justice is not for it, and it does not provide any additional powers to the President of the United States that he does not already have. It sends a very bad message on behalf of this Congress on what we stand for, putting military personnel at the border for no purposes, and I do believe that we are protected by the strong enforcement or reinforcement of our border patrol agents and the new funding sources that we are looking to provide. Let us not willy-nilly provide scare tactics for this country.

Mr. GOODE. Mr. Chairman, I yield 2½ minutes to the gentleman from Oklahoma (Mr. WATTS).

Mr. WATTS of Oklahoma. Mr. Chairman, I thank the gentleman from Virginia (Mr. GOODE) for yielding me time, and I support his amendment.

I rise in support of the Goode amendment and the Bob Stump National Defense Authorization bill. Mr. Speaker, I also rise to address another part of the bill that is especially germane.

In recent days there has been a great deal of discussion, speculation and media coverage about the Crusader program, and let me clarify some issues because I believe there are some myths out there that are flowing around through the airwaves.

First, our bill merely funds the President's budget request, no more, no less. Even at this late hour in the authorization process the President's budget proposal has not formally been revised. Full funding of the Crusader is part of what the President sent over earlier this year, and more importantly it is what our fighters say they need. Additionally, the Crusader funding level is \$475 million, or about 1.2 percent of the overall DOD budget. For this relatively modest commitment in the overall budget, this Congress will provide protection and security for our soldiers.

The Crusader is something that our service chiefs, the combatant commanders and service secretaries have been unanimous in their support in testimony before the Committee on Armed Services here and in the Senate.

□ 2245

Furthermore, Mr. Chairman, a number of critics of Crusader mistakenly believe it is the same program that critics focused on in 1999. At that time, it weighed close to 60 tons. Now it weighs under 40 tons. It has downsized. It has modernized. It has been a poster child for transformation.

Mr. Chairman, speculation about alternatives to Crusader is pure theo-

rizing at this point. Crusader has 8 years of development under its belt, and hypothetical replacements would have start-up costs, research expenses and all the hiccups of a new program.

Mr. Chairman, the fact is that if we intend to have the best ground forces possible for force protection and future fire support, the answer is Crusader. I am proud of the committee and this bill for recognizing that and for supporting full funding of what this very important system will provide for our men and women in uniform.

MOTION TO RISE OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion to rise offered by the gentleman from Mississippi (Mr. TAYLOR).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. TAYLOR of Mississippi. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 154, noes 249, not voting 31, as follows:

[Roll No. 151]

AYES—154

Abercrombie	Hall (TX)	Oliver
Ackerman	Harman	Ortiz
Allen	Hastings (FL)	Owens
Andrews	Hill	Pallone
Baca	Hilliard	Pascarell
Baird	Hinchey	Payne
Baldacci	Hinojosa	Pelosi
Baldwin	Hoeffel	Phelps
Barrett	Holden	Pomeroy
Becerra	Holt	Rahall
Bentsen	Honda	Rangel
Berkley	Hoyer	Rodriguez
Berry	Inslee	Ross
Bishop	Israel	Roybal-Allard
Blumenauer	Jackson-Lee	Rush
Bonior	(TX)	Sanchez
Boswell	Jefferson	Sanders
Boucher	Johnson, E. B.	Sandlin
Boyd	Jones (OH)	Sawyer
Brady (PA)	Kaptur	Schakowsky
Brown (FL)	Kildee	Schiff
Brown (OH)	Kilpatrick	Sherman
Capps	Kind (WI)	Shows
Capuano	Kucinich	Skelton
Carson (OK)	LaFalce	Slaughter
Clyburn	Lampson	Snyder
Condit	Langevin	Solis
Costello	Lantos	Spratt
Crowley	Larsen (WA)	Stark
Cummings	Larson (CT)	Stenholm
Davis (CA)	Lee	Strickland
Davis (FL)	Levin	Stupak
Davis (IL)	Lipinski	Tanner
DeFazio	Lofgren	Tauscher
DeGette	Lynch	Taylor (MS)
Delahunt	Maloney (CT)	Thompson (CA)
DeLauro	Markey	Thompson (MS)
Deutsch	Matsui	Thurman
Dicks	McCarthy (NY)	Tierney
Doggett	McCollum	Towns
Doyle	McDermott	Turner
Eshoo	McGovern	Udall (CO)
Etheridge	McIntyre	Udall (NM)
Evans	Meehan	Velazquez
Farr	Meeks (NY)	Waters
Filner	Miller, George	Watt (NC)
Ford	Mink	Weiner
Frank	Moore	Wexler
Gonzalez	Napolitano	Woolsey
Gordon	Neal	Wu
Green (TX)	Oberstar	Wynn
Gutierrez	Obey	

Aderholt	Graham	Otter
Akin	Granger	Pastor
Armey	Graves	Paul
Bachus	Green (WI)	Pence
Baker	Greenwood	Peterson (MN)
Ballenger	Grucci	Peterson (PA)
Barcia	Gutknecht	Petri
Barr	Hansen	Pickering
Bartlett	Hart	Pitts
Barton	Hastings (WA)	Platts
Bass	Hayes	Pombo
Bereuter	Hayworth	Portman
Biggert	Hefley	Price (NC)
Bilirakis	Herger	Price (OH)
Blagojevich	Hilleary	Putnam
Blunt	Hobson	Quinn
Boehler	Hoekstra	Radanovich
Boehner	Hookey	Ramstad
Bonilla	Horn	Regula
Bono	Hostettler	Rehberg
Boozman	Houghton	Reynolds
Borski	Hunter	Rivers
Brown (SC)	Hyde	Roemer
Bryant	Isakson	Rogers (KY)
Burr	Issa	Rogers (MI)
Buyer	Istook	Rohrabacher
Callahan	Jackson (IL)	Ros-Lehtinen
Calvert	Jenkins	Rothman
Camp	Johnson (CT)	Royce
Cantor	Johnson (IL)	Ryan (WI)
Capito	Johnson, Sam	Ryun (KS)
Cardin	Jones (NC)	Sabo
Carson (IN)	Kanjorski	Saxton
Castle	Keller	Schaffer
Chabot	Kelly	Schroock
Chambliss	Kennedy (RI)	Scott
Clement	Kerns	Sensenbrenner
Coble	King (NY)	Serrano
Collins	Kingston	Sessions
Cooksey	Kirk	Shadegg
Cox	Klecza	Shaw
Cramer	Knollenberg	Shays
Crenshaw	Kolbe	Sherwood
Cubin	LaHood	Shuster
Cunningham	Latham	Simmons
Davis, Jo Ann	LaTourette	Simpson
Davis, Tom	Leach	Skeen
Deal	Lewis (CA)	Smith (MI)
DeLay	Lewis (KY)	Smith (NJ)
DeMint	LoBiondo	Smith (TX)
Diaz-Balart	Lowey	Smith (WA)
Dingell	Lucas (KY)	Stearns
Doolittle	Lucas (OK)	Stump
Dreier	Luther	Sullivan
Duncan	Maloney (NY)	Sununu
Dunn	Manzullo	Sweeney
Edwards	Mascara	Tancred
Ehlers	Matheson	Taucin
Ehrlich	McCarthy (MO)	Taylor (NC)
Emerson	McCrery	Terry
Engel	McHugh	Thomas
English	McInnis	Thornberry
Everett	McKeon	Thune
Fattah	McKinney	Tiahrt
Ferguson	McNulty	Tiberi
Flake	Meek (FL)	Toomey
Fletcher	Menendez	Upton
Foley	Mica	Visclosky
Forbes	Miller, Dan	Vitter
Fossella	Miller, Gary	Walden
Frelinghuysen	Miller, Jeff	Walsh
Frost	Mollohan	Wamp
Gallegly	Moran (KS)	Watkins (OK)
Ganske	Moran (VA)	Watts (OK)
Gekas	Morella	Weldon (FL)
Gephardt	Murtha	Weller
Gibbons	Myrick	Whitfield
Gilchrest	Nadler	Wicker
Gillmor	Ney	Wilson (NM)
Gilman	Northup	Wilson (SC)
Goode	Norwood	Wolf
Goodlatte	Nussle	Young (AK)
Goss	Osborne	Young (FL)

NOT VOTING—31

Berman	Dooley	Oxley
Brady (TX)	Hall (OH)	Reyes
Burton	Hulshof	Riley
Cannon	John	Roukema
Clay	Kennedy (MN)	Shimkus
Clayton	Lewis (GA)	Souder
Combest	Linder	Traffant
Conyers	Millender	Watson (CA)
Coyne	McDonald	Waxman
Crane	Nethercutt	Weldon (PA)
Culberson	Ose	

□ 2309

Mr. CLYBURN, Mrs. CAPPS, and Messrs. LIPINSKI, DEUTSCH, OBEY and OLVER changed their vote from "no" to "aye."

So the motion to rise was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. On the pending Goode of Virginia amendment No. 8, the gentleman from Virginia (Mr. GOODE) has 2½ minutes remaining, and the gentleman from Texas (Mr. ORTIZ) has 4½ minutes remaining.

Mr. ORTIZ. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. HINOJOSA).

(Mr. HINOJOSA asked and was given permission to revise and extend his remarks.)

Mr. HINOJOSA. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Virginia. And while I share my colleague's goal of promoting national security by ensuring the safety of our borders, I am convinced that the unintended consequences of this amendment would cause it to do more harm than good.

Mr. Chairman, in the wake of September 11, it is more essential than ever that we provide the tools necessary for our military to defend this country. Yet this amendment would give the men and women of the armed services the mandate of acting not only as soldiers but as policemen, customs agents, and border patrol officers.

□ 2311

Mr. Chairman, the amendment requires that before any troops be allowed to serve on the border they must undergo a law enforcement training program. This would require valuable time and money that could be spent training our troops to do the job they signed up to do, rather than to be police officers and customs agents. If we want to provide more security at the border, we should provide more resources to the INS and Customs Service, not ask military to duplicate the work that existing agents are performing.

Mr. Chairman, the President already has the power should he need it, but this amendment is counterproductive to the goals of this legislation. Let us not stretch them thinner by asking them to not only do their jobs, but the jobs of others as well.

While I share my colleague's goal of promoting national Security by ensuring the safety of our borders, I am convinced that the unintended consequences of this amendment would cause it to do more harm than good.

Mr. Chairman, in the wake of September 11, it is more essential than ever that we provide the tools necessary for our military to defend this country. In a world of limited resources, this means giving our military a clear and specific mandate that will allow it to most efficiently use the resources we give it. Yet this amendment would give the men and women of the armed services the mandate of acting not only as soldiers, but as policemen, customs agents, and border patrol officers. This is

an unreasonable burden to place upon our troops at a time when we need them to be prepared to join the war against terror at a moment's notice.

I believe that this amendment would be extraordinarily expensive and counter-productive. The amendment requires that before any troops be allowed to serve on the border, they must undergo a law enforcement training program. This would require valuable time and money that could be spent training our troops to do the job they signed up to do, rather than to be police officers and customs agents.

Furthermore, even after they are trained, the amendment would require that all members of the military working on the border be accompanied by a civilian law enforcement officer at all times. This creates an enormously duplicative yet costly role for troops that we desperately need elsewhere. If we want to provide more security at the border, we should provide more resources to the INS and Customs Service, not ask our military to duplicate the work that existing agents are performing.

Mr. Chairman, the President already has this power should he need it. But this amendment is counter-productive to the goals of this legislation. I have heard many Members in this Chamber today claim that our military has been over-burdened and under-funded in the past. Let's not stretch them even thinner by asking them to not only do their jobs, but others' jobs as well.

Mr. GOODE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we adopted this amendment last year. After September 11, the times demand that we adopt it even more this year.

Mr. Chairman, I reserve the balance of my time.

Mr. ORTIZ. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. BECERRA) to close on this amendment.

Mr. BECERRA. Mr. Chairman, let me begin by first acknowledging the work of the gentleman from Virginia (Mr. GOODE) for his efforts to recognize the true national security interests that we have and the domestic security interests that I believe the gentleman is trying to raise through this amendment.

But, Mr. Chairman, the President did not request this amendment. The Department of Defense did not request this amendment. The Department of Justice, which houses the Immigration and Naturalization Service and the Border Patrol, did not request this amendment. The Department of the Treasury, which houses our Customs Service, did not request this amendment. The governors and the States that control our National Guard did not request this amendment. So why are we doing this amendment?

This is the House of Representatives. This is not the war room or the White House situation room. We should let those who know best how to deploy our military services, our men and women in uniform, to make those decisions. We are not day to day the best judges of how to deploy our troops, but that is what this amendment goes to.

Let us remember something here. If we have civilian law enforcement work

and oversight and deployment that must take place, we have civilian law enforcement to do that work, our Border Patrol, our Customs agents, our National Guard. They should be doing that work along the border. Right now the President has the authority if there is an emergency to deploy our troops. But why clutter the law with something that does nothing to make it clear how we best use our troops.

In fact, this undermines our security. It undermines our readiness because it takes troops from their units where they are best deployed by the minds of the generals in our services and places them, based on the minds of people who sit here today, along our borders. That is not the way to conduct military operations.

I am not in the military, but I can tell Members something, I know I do not know as well as our generals where to put our troops. I will put my faith and confidence in our generals. Members should do the same.

This amendment, while perhaps well-intentioned, does nothing except cost us more money and undermine our readiness, and for that reason it should not be approved.

I respect the gentleman from Virginia (Mr. GOODE), I think he is well-intentioned, but I do not believe that this goes where we wish to go. If Members do not believe that, just look at our past history. The one time when we recently deployed our troops along the border, what was the reminder, what was the relic of that brief deployment, the death of a U.S. citizen, an 18-year-old by the name of Ezequiel Hernandez, who was herding his sheep and was killed by our own Army personnel by mistake. Let us not make the mistake again.

Mr. GOODE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we do not know what terrorist event in the future may demand the need for the Secretary of Defense to have this authority. This is not a mandatory bill, this is just simply giving that authority where it is needed.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GOODE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia (Mr. GOODE) will be postponed.

It is now in order to consider amendment No. 9 printed in Part A of House Report 107-450.

PART A AMENDMENT NO. 9 OFFERED BY MR.

PAUL

Mr. PAUL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A Amendment No. 9 offered by Mr. PAUL:

At the end of title X (page 218, after line 15), insert the following new section:

SEC. 10. SENSE OF CONGRESS ON PROHIBITION OF USE OF FUNDS FOR INTERNATIONAL CRIMINAL COURT.

It is the sense of Congress that none of the funds appropriated pursuant to authorizations of appropriations in this Act should be used for any assistance to, or to cooperate with or to provide any support for, the International Criminal Court.

The CHAIRMAN. Pursuant to House Resolution 415, the gentleman from Texas (Mr. PAUL) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first I would like to thank the cosponsors of this amendment, the gentleman from Georgia (Mr. BARR), the gentleman from Utah (Mr. CANNON), the gentleman from Tennessee (Mr. DUNCAN), the gentleman from Virginia (Mr. GOODE), the gentleman from Texas (Mr. SESSIONS), the gentleman from Tennessee (Mr. WAMP), and the gentleman from Florida (Mr. WELDON).

This amendment is not complex at all. It is a sense of Congress resolution as put in the bill. It says, "It is the sense of Congress that none of the funds appropriated pursuant to authorizations of appropriations in this Act should be used for any assistance to, or to cooperate with or to provide any support for the International Criminal Court."

This amendment is to urge the President not to use any funds for the International Criminal Court. I would like it to be a mandate. It is not, but it is still very, very important. I think this sends a message to our servicemen that they will never have to be taken into court against their will in the International Criminal Court.

On December 31, right before the last day of the treaty, the Rome Convention, could be signed, our President signed this convention, but it has never been ratified. It has not been brought to the Senate. It was too late, and our President now does not have any intention. We might say why worry about it, but just recently we all know that the President has essentially rescinded the signature on this treaty to make the point that we do not want our servicemen called in and tried in International Criminal Court as war criminals. So it is a protection of the servicemen.

But the interesting thing is that under this Rome Convention, the agreement is once 60 nations sign the treaty, it goes into effect. Even with what the President did by rescinding the signature and saying we do not want any part of it, we are still under international law under the understanding that our servicemen could be called into International Criminal Court.

We have to make this message very loud and clear. This is not overly strong, but I think we should make this message and say that none of these funds should be spent, but we still have to offer protection to our personnel that they never be called into this International Criminal Court. To me, it is an issue of national sovereignty, and it is an issue that is important to a lot of Americans. It is what our job should be, to protect our country. For this reason, I think this is very important. I hope I can get Members to agree with the amendment and pass it.

Mr. Chairman, earlier this week President Bush took the bold step of renouncing the signature of the United States on the Rome Statute of the International Criminal Court. The Bush Administration, in explaining this move, correctly pointed out that this court has unchecked power that contradicts our Constitution and its system of checks and balances; that the Court is "open for exploitation and politically-motivated prosecutions;" and that "the ICC asserts jurisdiction over citizens of states that have not ratified the treaty"—which undermines American sovereignty.

President Bush, in renouncing the U.S. signature and declaring that the United States would have nothing to do with the International Criminal Court, has put the Court on notice that the United States will defend its sovereignty and its citizens. The president is to be most highly commended for standing strong for American sovereignty in the face of worldwide attempts to undermine that sovereignty with this deeply flawed global court.

But there is no time to rest on this victory. As Secretary of Defense Donald Rumsfeld stated this week, upon our renunciation of the ICC: "Unfortunately, the ICC will not respect the U.S. decision to stay out of the treaty. To the contrary, the ICC provisions claim the authority to detain and try American citizens—U.S. soldiers, sailors, airmen and Marines, as well as current and future officials—even though the United States has not given its consent to be bound by the treaty." Secretary Rumsfeld added, "When the ICC treaty enters into force this summer, U.S. citizens will be exposed to the risk of prosecution by a court that is unaccountable to the American people, and that has no obligation to respect the Constitutional rights of our citizens."

Secretary Rumsfeld is correct. It is clear that the International Criminal Court has no intention of honoring our president's decision to neither participate in nor support their global judicial enterprise. According to the Statutes of the court, they do indeed claim jurisdiction over Americans even though the president has now stated forcefully that we do not recognize the Court nor are we a party to the Treaty.

I have introduced this amendment to the Defense Authorization Act, therefore, to support the president's decision and to indicate that Congress is behind him in his rejection of this unconstitutional global court. It is imperative that we not award the International Criminal Court a single tax dollar to further its objective of undermining our sovereignty and our Constitutional protections. How could we do anything less: each of us in this body has taken an oath to protect and defend the Constitution of the United States?

I am also introducing today a Sense of the Congress bill to commend President Bush for

his bold and brave decision to renounce the United States' signature on the Statute of the International Court. We must support the president as he seeks to protect American servicemen and citizens from this court. I hope all of my colleagues here will co-sponsor and support this legislation, and please call my office for more details.

In the meantime, I urge enthusiastic support of this amendment before us. We must speak with one voice in denying the International Criminal Court a single American tax dollar!

Mr. Chairman, I reserve the balance of my time.

□ 2320

Mr. CROWLEY. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. CROWLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the amendment introduced by the honorable gentleman from Texas that would prohibit the use of funds to assist, cooperate with, or provide any support to the International Criminal Court. The International Criminal Court is a reality, as the gentleman has stated. The Rome statute, the treaty establishing the court, has been ratified by the 60 countries needed for the court to come into existence, as has been stated as well.

The court will function with or without United States support or participation. A prohibition on U.S. support will not protect the very same American citizens the gentleman from Texas wishes to protect from the court's jurisdiction. In fact, our lack of participation in the court's mechanisms will harm U.S. national interests by making it impossible for the United States to affect the development of the court. We will thus be completely unable to protect any Americans that do find themselves before this court.

Opponents of the court have argued that U.S. servicemen and women will be subject to politically motivated trials. But since national courts have primary jurisdiction and since the U.S. military is committed to fully investigating any charges of war crimes committed by U.S. military personnel, the military in my opinion has nothing to fear from an ICC prosecutor run amuck. The case of U.S. Army Sergeant Frank Ronghi proves that U.S. servicemen have nothing to fear from international tribunals. Ronghi was accused of raping and murdering an 11-year-old Kosovar girl. Despite the fact that the ICTY statute gives the tribunal primacy over national courts' own jurisdiction, the United States faced no obstacles from the tribunal to launching its own investigation, conducting its own court-martial, and eventually sentencing Sergeant Ronghi according to the Uniform Code of Military Justice.

Earlier this week, as stated by the gentleman from Texas, the Bush administration announced that it would

remove the United States' signature from the Rome statute, an unprecedented step that has damaged the moral credibility of the United States and serves as a U.S. repudiation of the notion that war criminals and perpetrators of genocide should be brought to justice. The unsigned of the statute will not protect American citizens from being brought before the court. Furthermore, our rejection of the court encourages autocratic leaders to ignore their own international commitments. It will also make it more difficult for the United States to ensure that war criminals from Iraq, Sudan, Liberia, Sierra Leone, Cambodia and other countries face justice for their atrocities.

The administration's unsigned of the Rome statute places the United States in the company of notorious human rights abusers like Iraq, North Korea, China, Cuba, Libya, and Burma. By approving the amendment in question, Congress would add insult to injury by further repudiating the International Criminal Court, which is an important instrument of international justice.

Mr. Chairman, the resolution being discussed today would hinder U.S. national interests. Ironically, by preventing the United States from cooperating with the court in any way, it will actually endanger, in my opinion, American lives. It would, for example, prohibit Defense Department officials from responding to court investigators when they ask for information that would help exonerate an American serviceman brought before the court. It would also prevent a member of the U.S. Armed Forces from testifying in support of our NATO allies who do support this court. Finally, it would prevent us from supporting a trial of a figure as notorious as Saddam Hussein were he to be brought before this court for crimes against humanity.

According to this amendment, the United States should not support the court with intelligence, information and legal expertise that could convict someone like Saddam Hussein and his cronies of crimes against humanity, despite the fact that the administration itself has already embarked on an ambitious effort to build a war crimes case against Saddam Hussein and his associates.

Finally, Mr. Chairman, this amendment would hinder our ability to wage war on terrorism. We have asked virtually every country in the world to support the implementation of U.S. domestic law designed to combat terrorism on such things as terrorist money laundering. Now, with this amendment, Congress is refusing to cooperate with the international community in its efforts to bring war criminals and terrorists to justice.

Mr. Chairman, this amendment accomplishes very little. The administration has already stated its intent not to cooperate with this court. Endorsing the amendment would only put Con-

gress on record as having prevented the United States from cooperating with an institution that will help promote the rule of law. I urge my colleagues to oppose this amendment.

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentleman yield?

Mr. CROWLEY. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I would just like to associate myself with the remarks that the gentleman just made. I believe that the best way to protect our U.S. servicemen is to become part of the International Criminal Court and thereby retain our complementarity which allows us to try our own soldiers before they would ever be tried by an International Criminal Court, thus protecting our own soldiers. Whereas if we do not sign and do not go ahead with the criminal court, we really subject our soldiers to this court without the protections that our signing would allow us to have.

Mr. CROWLEY. Mr. Chairman, I reserve the balance of my time.

Mr. PAUL. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Chairman, I thank the distinguished gentleman from Texas for yielding time in support of this very important amendment.

The previous speakers are operating in some Alice-in-Wonderland world. Let me see if I can get this straight. It is hard to even diagram it out, their logic or lack thereof.

We have an International Criminal Court or a court that calls itself an International Criminal Court, not subject to or bound by the constitutional guarantees that would otherwise in every instance apply to United States servicemen and women and citizens and those who commit crimes in this country, even though they are not citizens. Yet they are saying that because the United States has renounced the improper signature of a previous chief executive in this country that our men and women would therefore not be subject to protections.

Well, of course we are not going to be subject to the protections offered by the International Criminal Court because we are not subject to it. That is the whole point of this amendment. To say that our men and women, our policymakers, our commanders, those who order our men and women into harm's way to protect our national security interests that might run afoul of some foreign dictator that might go to the International Criminal Court and seek to have bogus charges brought against our men and women would somehow not be protected because we have not signed or deemed ourselves not bound by this criminal court, where is the logic in that? There is no more logic in that than there would be in saying that we ought to subject our men and women to the International Criminal Court in the first place, Mr. Chairman.

The fact of the matter is that the Bush administration took a very bold

step, and yes, it is unprecedented, but the signing of this International Criminal Court treaty by the prior administration in the waning days of the prior administration's tenure in office was itself unprecedented and improper. I commend the Bush administration for saying that we shall not be bound, our policy-makers, our men and women in uniform should not be bound by this kangaroo court. I commend the gentleman from Texas for bringing forth this amendment that says very clearly, and I hope that our colleagues on the other side understand this, yes, it would renounce in a very, very substantive and very concrete way this so-called International Criminal Court.

Contrary to their illogical arguments that somehow this course of action would deny our men and women protection, it would in fact clothe them fully in the protection of our Constitution and not subject them to the lack of protection that they would have if we allowed them in any way, shape or form to be subject to this foreign international jurisdictional court.

So what we are stating here today with this amendment, which I ask all of our colleagues to support, we are saying that our men and women that go out under that flag will continue to have the protection of that flag, of our Constitution, of our Bill of Rights, and not be subject to some international kangaroo court that folks on the other side may like for some reason, but let us stand up for America, let us stand up for our Bill of Rights and not subject our men and women to a foreign court that has no jurisdiction.

Mr. CROWLEY. I would inquire as to how much time we have remaining.

The CHAIRMAN. The gentleman from New York (Mr. CROWLEY) has 4 minutes remaining and the gentleman from Texas (Mr. PAUL) has 4½ minutes remaining.

Mr. CROWLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. ROEMER).

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Chairman, the Paul amendment which was approved by the Committee on Rules and made in order is an amendment that prohibits funds to be spent on the international court. Some would argue that that is a good government amendment and he had every right to bring that for debate and a vote in the House of Representatives.

There were five Members of Congress that went before the Committee on Rules to try to get a similar amendment on a prohibition of funds for the Crusader, which is a 155-millimeter howitzer which does not have a military requirement anymore, which does not have the support of this administration; and I fear, Mr. Chairman, that if Congress cannot even vote on a system that the Pentagon does not even want anymore, has recommended that

we kill it, what kind of confidence with good government do the people of this country have that we are doing our business here in this Congress?

□ 2330

There are compelling arguments to make that this body has an obligation to debate these issues, to consider them, and to vote on them. That is one of the reasons the gentleman from Mississippi (Mr. TAYLOR) has been making the motions that he has made all night long, so that Members of Congress can do their duty, their principled obligation, to bring ideas to the floor, get debate, work with Members of the Republican majority party, and get amendments put into bills or have them defeated.

Now, the Crusader has a military requirement that Napoleon may have used, may have benefited from; Ulysses S. Grant sure could have shortened the Civil War; John Pershing really could have used it probably in World War I. But Secretary Rumsfeld says he does not want it to fight terrorists. He does not need it in this new century to fight wars against our enemies. Why, then, does the Congress refuse to have a debate on this issue? Maybe the opponents would lose; maybe they can convince us. But not to have this debate in this great body says to the American people, and the headlines tomorrow will be Congress has never met a weapons system, even in war, that the Secretary does not want that they will not approve, that they cannot kill.

Now, the President of the United States has supported Secretary Rumsfeld. They have both said they do not want it. The military requirement is no longer there. What about using the \$11 billion that this Congress wants to spend on that and put it toward the war on terrorism? What about buying some more ships? What about health care? What about an additional pay raise for our military? Those are things that we could do with \$11 billion on a Crusader that we do not need, that is not a requirement, and that this administration does not want. But we cannot even debate it. We cannot even have a vote on that important amendment.

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, the gentleman has asked the question why we cannot debate it, and he is entitled to an answer. It would be a little embarrassing for people who have been arguing almost all the time that with a war going on, we must rally around the President and support the Commander in Chief, give the Defense Department what it asks for. It would be embarrassing for them to then have to vote exactly contrary to that.

Now, the rules of this House do not require consistency. The rules do not require Members having stated a principle to live by it, so they could say

that, but it would be embarrassing. So that is the answer to the gentleman's question. The majority clearly could not simultaneously continue to argue that it is everybody's patriotic duty to rally around the Commander in Chief and the Secretary of Defense on military matters, and then vote to repudiate them. So the way they do this is by silence.

Mr. PAUL. Mr. Chairman, I yield myself the remaining time.

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. Mr. Chairman, it is unprecedented to repudiate a signature on a treaty, but it is very important. They must have felt it was extremely important for the protection of our soldiers. So it is this discomfort we might feel about the repudiation of a signature versus doing what we think is best to protect our troops. I honestly believe that this is very necessary.

Now, the argument that all of a sudden we are going to capture Saddam Hussein and we are not going to have the international criminal court to deal with him, that is really not a good argument because the special tribunals for Yugoslavia as well as Rwanda can and still be set up. It has nothing to do with that, so that would still be available.

And it is the jurisdiction, it is the sovereignty, it is the civil liberties of the American soldier that we are dealing with. The gentleman from Georgia (Mr. BARR) brought this up, and this is very true. These trials, they do not have juries. The judges are appointed in secret. They cannot face their accusers. And we are going to join an organization like that, endorse it, send money and say that our troops may become subject to this? To me, it is an extremely dangerous situation that we have here now, because we did not even ratify the treaty. We have repudiated the signature and they are still saying this is going to apply to our soldiers. We have a serious problem on our hands and we should at least do this very little thing here, because this is a sense of Congress resolution that we would not like to have the President spend any money on this, and this would support his position.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. PAUL).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. PAUL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. PAUL) will be postponed.

It is now in order to consider amendment No. 10 printed in part B of House report 107-450.

PART B AMENDMENT NO. 10 OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 10 offered by Mr. BEREUTER:

At the end of subtitle D of title V (page 125, after line 9), insert the following new section:

SEC. 533. PREPARATION FOR, PARTICIPATION IN, AND CONDUCT OF ATHLETIC COMPETITIONS BY THE NATIONAL GUARD AND MEMBERS OF THE NATIONAL GUARD.

(a) ATHLETIC AND SMALL ARMS COMPETITIONS.—Section 504 of title 32, United States Code, is amended by adding at the end the following new subsection:

“(c) CONDUCT OF AND PARTICIPATION IN CERTAIN COMPETITIONS.—(1) Under regulations prescribed by the Secretary of Defense, members and units of the National Guard may conduct and compete in a qualifying athletic competition or a small arms competition so long as—

“(A) the conduct of, or participation in, the competition does not adversely affect the quality of training or otherwise interfere with the ability of a member or unit of the National Guard to perform the military functions of the member or unit;

“(B) National Guard personnel will enhance their military skills as a result of conducting or participating in the competition; and

“(C) the conduct of or participation in the competition will not result in a significant increase in National Guard costs.

“(2) Facilities and equipment of the National Guard, including military property and vehicles described in section 508(c) of this title, may be used in connection with the conduct of or participation in a qualifying athletic competition or a small arms competition under paragraph (1).”

(b) OTHER MATTERS.—Such section is further amended by adding after subsection (c), as added by subsection (a) of this section, the following new subsections:

“(d) AVAILABILITY OF FUNDS.—(1) Subject to paragraph (2) and such limitations as may be enacted in appropriations Acts and such regulations as the Secretary of Defense may prescribe, amounts appropriated for the National Guard may be used to cover—

“(A) the costs of conducting or participating in a qualifying athletic competition or a small arms competition under subsection (c); and

“(B) the expenses of members of the National Guard under subsection (a)(3), including expenses of attendance and participation fees, travel, per diem, clothing, equipment, and related expenses.

“(2) Not more than \$2,500,000 may be obligated or expended in any fiscal year under subsection (c).

“(e) QUALIFYING ATHLETIC COMPETITION DEFINED.—In this section, the term ‘qualifying athletic competition’ means a competition in athletic events that require skills relevant to military duties or involve aspects of physical fitness that are evaluated by the armed forces in determining whether a member of the National Guard is fit for military duty.”

(c) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting “AUTHORIZED ACTIVITIES.—” after “(a)”; and

(2) in subsection (b), by inserting “AUTHORIZED LOCATIONS.—” after “(b)”.

(d) CONFORMING AND CLERICAL AMENDMENTS.—(1) Subsection (a) of such section is amended—

(A) in paragraph (1), by inserting "and" after the semicolon;

(B) in paragraph (2), by striking "or" and inserting a period; and

(C) by striking paragraph (3).

(2) The heading of such section is amended to read as follows:

"§ 504. National Guard schools; small arms competitions; athletic competitions".

(3) The item relating to section 504 in the table of sections at the beginning of chapter 5 of title 10, United States Code, is amended to read as follows:

"504. National Guard schools; small arms competitions; athletic competitions."

The CHAIRMAN. Pursuant to House Resolution 415, the gentleman from Nebraska (Mr. BEREUTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this Member rises to offer an amendment which he is jointly presenting with the distinguished gentleman from Rhode Island (Mr. LANGEVIN). The Bereuter-Langevin amendment makes a minor change in current law which can reap significant benefits by allowing National Guard units to use already appropriated funds to sponsor competitions and send members to those competitions.

Currently only nonappropriated funds from post exchanges and other activities and from competition entry fees can be used to cover operating expenses for the events of all health, pay, and personal expenses for participating National Guard members. Indeed, the existing National Guard competition events program does provide National Guard members with an opportunity to hone their training-related skills such as running, swimming, and marksmanship in a competitive atmosphere. As the National Guard actively recruits new members, this can be another attractive feature in recruitment and retention programs for certain members of the National Guard.

Through these competitions, National Guard members can qualify for higher level national and international competitions, including the Pan American games and the Olympics. Also, National Guard members who compete in athletic and small arms competitions can now do so with members of the active duty military. Bringing active reserve and National Guard components together in this fashion builds better appreciation among the various components and overall force cohesiveness.

Additionally, some of the National Guard-sponsored competitions are open to participation by the entire civilian community for participation. The high visibility and the community interaction such events provide is key for providing support for local National Guard units.

While recruitment and retention and community support have always been important in maintaining the National Guard structure, they have become

even more critical as we wage the war on terrorism during which our men and women in the National Guard are more frequently called to duty overseas and to provide security in our homeland. For the National Guard competitive events programs to continue to thrive, greater funding flexibility, which this amendment provides, must be granted to the National Guard units sponsoring competition and sending members to those competitions.

Now, unlike active duty military personnel who have all health, pay and personal expenses covered while competing, National Guard members are not on duty while competing and, thus, are not covered. For example, if National Guard members suffer injuries while competing at the National Marksman Competition in Little Rock, Arkansas, they must pay for the incurred health care costs, even though they were competing with their National Guard unit.

Unfortunately, placing National Guard members on orders, as occurs with military reservists participating in these competitions, is not a solution to the coverage issue. Why? Because National Guard members placed on active duty cannot compete with their National Guard units team.

Mr. Chairman, it should be emphasized that the amendment does not create participation incentives for the National Guard members which are greater than those incentives for active duty military personnel, nor does it allow the National Guard to seek excessive funds for these activities. Indeed, the amendment limits the National Guard's use of appropriated funds for athletic and small arms competition to a very modest \$2.5 million annually.

□ 2340

Mr. Chairman, this Member urges his colleagues to vote for this amendment as an important way not only to recruit or retain motivated men and women for the National Guard, but also to show support for the men and women currently serving our country in our National Guard during this challenging time. I ask for Members' support.

Mr. Chairman, I reserve the balance of my time.

Mr. SNYDER. Mr. Chairman, I am not opposed to the amendment. I do not believe there is any opposition. I would like to claim the customary division of time.

The CHAIRMAN. The gentleman from Arkansas (Mr. SNYDER) is recognized for 5 minutes.

Mr. SNYDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the amendment offered by my fine colleague, the gentleman from Nebraska (Mr. BEREUTER). The amendment he offers would allow the National Guard to use appropriated funds to attend and compete in athletic events and small arms competition. I think it is a good amendment.

The problem we are having here today is there are many fine Members, like the gentleman from Nebraska, who also had ideas they would like to have presented to the House. Not all ideas are ones I would have agreed with. I did not support and will not support the amendment of the gentleman from Mississippi (Mr. TAYLOR) on base closure. I think we do need another round of base closures. I think the process we arrived at last year was a legitimate one.

But people should have their day in the sun to discuss these things, and the voters that sent these Members here should have their day to see these Members bring forth the ideas that they want to have discussed.

I think this is a very sad day for this House, at a time of international conflict, when the world depends on this country to fight the war on terrorism, that good people on the Democratic side were denied amendments to try to improve the bill that provides for the common defense of this country.

I do not think this is the kind of activity and arrogance that the American people are going to tolerate. I hope the lesson learned here through the day and through the night is that we have got to do a better job of acting in the spirit of bipartisanship and not just using it in our press releases back home.

Mr. Chairman, I yield back the balance of my time.

Mr. BEREUTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I wanted to explain to my colleagues, in asking for their support, that I am going to be asking for a record vote, only because the gentleman from Rhode Island and I offered this same amendment last year and it was dropped in conference, I assume by our colleagues in the other body. So that is the reason I will be having a record vote. I thank my colleagues for their support.

Mr. Chairman, I yield back the balance of my time.

Mr. SKELTON. Mr. Chairman, I move to strike the last word.

Mr. TAYLOR of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. SKELTON. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Chairman, I want to thank the gentleman from Missouri for yielding to me and giving me this opportunity.

For about 12 hours now I have asked my colleagues, who were all elected by roughly the same number of people as I have been, for an opportunity for an up-or-down vote on whether or not we ought to have another round of base closures.

I am adamantly opposed to base closures. After the first three rounds of base closure, we cannot name one weapons system that has been purchased with base closure money. We cannot find one general, one admiral, one Secretary of Defense, one undersecretary, who would name one base that

they think ought to be closed. Yet my colleagues, particularly on the Republican side, have steadfastly refused even the simple courtesy of an up-or-down vote.

Last year the Senate, by the narrowest of margins, passed base closure language. The House never voted on it. It was part of the defense authorization bill which was brought to this House in the conference report well after September 11, when we were given the opportunity to say we are for the troops or against base closure. That really was not a fair fight, and they knew it was not.

Base closure ruins the lives of those military retirees, and over half of them, over half of them have retired near a base so they can use the commissaries and the hospitals. When we close the base, the commissary goes, the hospital goes; and we basically have ruined their lives. They are too old to move again.

Base closure puts every single employee in the Department of Defense wondering, starting tomorrow, whether or not his job is in jeopardy, whether or not he ought to borrow the money to send his kid to college or buy another car or fix up their house. For all the reasons that Members oppose A-76, they ought to be against base closure.

All I have asked is one simple thing today, because I think it is real fair that the business sections around America, all those cities and counties that we all used to serve in the local government that are spending millions, if not billions, of dollars trying to save those local bases from closure, all we want is an up-or-down vote.

We asked for the opportunity to stand up for our constituents. As a matter of fact, most of us begged for the opportunity to stand up for our constituents: send me to Washington so your voice can be heard loud and clear.

Why is it tonight that they hide behind the Speaker? Why is it tonight that they hide behind these silly rules, nine members of the Committee on Rules who will not give a straight up-or-down vote whether or not they think it makes sense to close bases?

We are in a war. How many times have I heard it tonight? Every one of the service chiefs says they need more people, not fewer. Right now, the military is looking for a base to put the Joint Strike Fighter. They are looking for a base to put the F-18E and F.

There is a base in Florida that has three 8,000-foot runways. It has a fourth runway that is 10,000 feet long. The planes can take off and they go straight out over the Atlantic Ocean. They can make all the noise they want. They can do all the dogfighting they want. God forbid, if something goes wrong and they have to eject, they know they can eject without fear of that plane falling on someone's house or a busload of kids.

That base is called Cecil Field. It is outside Jacksonville, Florida. It was

closed by a previous round of base closures, and now the taxpayers of America are going to spend over \$1 million to replace it because we gave the property away, just like we gave away the property at Governor's Island, just like we gave away the property at the Presidio, and just like we spent \$13 billion, let us remember, a thousand, thousand, thousand, thousand times 13 to clean up the bases that we gave away from the first three rounds of base closure.

If Members think that is a good idea, then have the guts to vote for it. But if Members think it is a bad idea, or if they think those of us who think it is a bad idea, who got elected by just as many people as them, ought to have an up-or-down vote on it, I thought I would ask just once tonight to give us a vote.

That is all I ask. If we lose, I understand the rule of the majority. But I think the Members of this House, when those bases start getting padlocked, ought to have the opportunity to look the citizens who are going to lose their bases, who are going to lose their jobs, I think we ought to have the opportunity to look them in the eye and say, I voted to keep this base open, or I voted to shut it down. But do not hide.

Mr. LANGEVIN. Mr. Chairman, today I join my colleague, Mr. BEREUTER, in offering an amendment that strengthens the athletic skill, unit cohesion and morale of our dedicated service members.

As my colleague has explained, this amendment authorizes the National Guard to use its appropriated funds to cover the costs of conducting and participating in athletic events related to military duties or physical fitness requirements.

This is of particular importance to my state, as Rhode Island is home to the Leapfest event.

But the entire country benefits from these National Guard competitions. Through these activities, the National Guard provides our service members with the opportunity to hone their service-related skills in competitive events and provides incentives for its recruitment and retention programs.

However, currently state National Guard units can use only non-appropriated funds to cover operating expenses for the events and related personal expenses for participating unit members. These non-appropriated funds are extremely limited, leaving most National Guard members paying out of their own pockets.

Mr. Chairman, I urge my colleagues to place our Nation Guard members on a level playing field with their Active Duty and Reserves counterparts. I'd like to thank Mr. Bereuter for his leadership on this issue and ask members to vote yes on the Bereuter-Langevin Amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska (Mr. BEREUTER). The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. BEREUTER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gen-

tleman from Nebraska (Mr. BEREUTER) will be postponed.

It is now in order to consider amendment No. 15 printed in part A of House Report 107-450.

MOTION TO RISE OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion to rise offered by the gentleman from Mississippi (Mr. TAYLOR).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. TAYLOR of Mississippi. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 168, noes 241, not voting 25, as follows:

[Roll No. 152]

AYES—168

Abercrombie	Hall (TX)	Oberstar
Ackerman	Harman	Obey
Allen	Hastings (FL)	Olver
Andrews	Hilliard	Ortiz
Baca	Hinchey	Owens
Baird	Hinojosa	Pallone
Baldacci	Hoeffel	Pascarell
Baldwin	Holden	Payne
Barrett	Holt	Pelosi
Becerra	Honda	Peterson (MN)
Bentsen	Hoyer	Phelps
Berkley	Inslee	Pomeroy
Berman	Jackson (IL)	Rahall
Berry	Jackson-Lee	Rangel
Bishop	(TX)	Rodriguez
Blumenauer	Jefferson	Roemer
Bonior	Johnson, E. B.	Ross
Borski	Jones (OH)	Roybal-Allard
Boswell	Kennedy (RI)	Rush
Boucher	Kildee	Sabo
Boyd	Kilpatrick	Sanchez
Brady (PA)	Kind (WI)	Sanders
Brown (FL)	Klecza	Sandlin
Brown (OH)	Kucinich	Sawyer
Capps	LaFalce	Schakowsky
Capuano	Lampson	Schiff
Cardin	Langevin	Scott
Carson (OK)	Lantos	Sherman
Clyburn	Larsen (WA)	Shows
Condit	Larson (CT)	Slaughter
Conyers	Lee	Snyder
Costello	Levin	Solis
Crowley	Lipinski	Spratt
Cummings	Lofgren	Stark
Davis (CA)	Lucas (KY)	Stenholm
Davis (FL)	Lynch	Strickland
DeFazio	Maloney (CT)	Stupak
DeGette	Markey	Tanner
Delahunt	Matheson	Tauscher
DeLauro	Matsui	Taylor (MS)
Deutsch	McCarthy (MO)	Thompson (CA)
Dicks	McCarthy (NY)	Thompson (MS)
Dingell	McCollum	Thurman
Doggett	McDermott	Tierney
Doyle	McGovern	Towns
Engel	McIntyre	Turner
Eshoo	McNulty	Udall (CO)
Etheridge	Meehan	Udall (NM)
Evans	Meek (FL)	Velazquez
Farr	Meeks (NY)	Waters
Filner	Miller, George	Weiner
Ford	Mink	Wexler
Frank	Moore	Woolsey
Gephardt	Murtha	Wu
Gonzalez	Nadler	Wynn
Gordon	Napolitano	
Green (TX)	Neal	

NOES—241

Aderholt	Barr	Blagojevich
Akin	Bartlett	Blunt
Armey	Barton	Boehert
Bachus	Bass	Boehner
Baker	Bereuter	Bonilla
Ballenger	Biggert	Bono
Barcia	Bilirakis	Boozman

Brown (SC)	Hobson	Price (NC)
Bryant	Hoekstra	Pryce (OH)
Burr	Hooley	Putnam
Buyer	Horn	Quinn
Callahan	Hostettler	Radanovich
Calvert	Houghton	Ramstad
Camp	Hulshof	Regula
Cantor	Hunter	Rehberg
Capito	Hyde	Reynolds
Carson (IN)	Isakson	Rivers
Castle	Israel	Rogers (KY)
Chabot	Issa	Rogers (MI)
Chambliss	Istook	Rohrabacher
Clement	Jenkins	Ros-Lehtinen
Coble	Johnson (CT)	Rothman
Collins	Johnson (IL)	Royce
Combest	Johnson, Sam	Ryan (WI)
Cooksey	Jones (NC)	Ryun (KS)
Cox	Kanjorski	Saxton
Cramer	Kaptur	Schaffer
Crenshaw	Keller	Schrock
Cubin	Kelly	Sensenbrenner
Culberson	Kerns	Serrano
Cunningham	King (NY)	Sessions
Davis (IL)	Kingston	Shadegg
Davis, Jo Ann	Kirk	Shaw
Davis, Tom	Knollenberg	Shays
Deal	Kolbe	Sherwood
DeLay	LaHood	Shuster
DeMint	Latham	Simmons
Diaz-Balart	LaTourette	Simpson
Doolittle	Leach	Skeen
Dreier	Lewis (CA)	Skelton
Duncan	Lewis (KY)	Smith (MI)
Dunn	Linder	Smith (NJ)
Edwards	LoBiondo	Smith (TX)
Ehlers	Lowey	Smith (WA)
Ehrlich	Lucas (OK)	Souder
Emerson	Luther	Stearns
English	Maloney (NY)	Stump
Everett	Manzullo	Sullivan
Fattah	Mascara	Sununu
Ferguson	McCrery	Sweeney
Flake	McHugh	Tancredo
Foley	McInnis	Tauzin
Forbes	McKeon	Taylor (NC)
Fossella	McKinney	Terry
Frelinghuysen	Menendez	Thomas
Frost	Mica	Thornberry
Gallegly	Miller, Dan	Thune
Ganske	Miller, Gary	Tiahrt
Gekas	Miller, Jeff	Tiberi
Gibbons	Mollohan	Toomey
Gilchrest	Moran (KS)	Upton
Gillmor	Moran (VA)	Visclosky
Gilman	Morella	Vitter
Goode	Myrick	Walden
Goodlatte	Ney	Walsh
Goss	Northup	Wamp
Graham	Norwood	Watkins (OK)
Granger	Nussle	Watt (NC)
Graves	Osborne	Watts (OK)
Green (WI)	Otter	Weldon (FL)
Greenwood	Oxley	Weldon (PA)
Grucci	Pastor	Weller
Gutknecht	Paul	Whitfield
Hansen	Pence	Wicker
Hart	Peterson (PA)	Wilson (NM)
Hastings (WA)	Petri	Wilson (SC)
Hayes	Pickering	Wolf
Hayworth	Pitts	Young (AK)
Hefley	Platts	Young (FL)
Herger	Pombo	
Hilleary	Portman	

NOT VOTING—25

Brady (TX)	Gutierrez	Ose
Burton	Hall (OH)	Reyes
Cannon	Hill	Riley
Clay	John	Roukema
Clayton	Kennedy (MN)	Shimkus
Coyne	Lewis (GA)	Trafficant
Crane	Millender	Watson (CA)
Dooley	McDonald	Waxman
Fletcher	Nethercutt	

□ 0012

Mr. SWEENEY changed his vote from "aye" to "no."

Messrs. THOMPSON of California, LUCAS of Kentucky, CARDIN, BORSKI, GREEN of Texas and Ms. KILPATRICK changed their vote from "no" to "aye."

So the motion to rise was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 21 printed in part B of House Report 107-450.

PART B AMENDMENT NO. 21 OFFERED BY MR.

SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 21 offered by Mr. SMITH of New Jersey:

At the end of title VII (page 159, after line 14), insert the following new subtitle:

Subtitle C—Department of Defense-Department of Veterans Affairs Health Resources Sharing

SEC. 721. SHORT TITLE.

This subtitle may be cited as the "Department of Defense-Department of Veterans Affairs Health Resources Sharing and Performance Improvement Act of 2002".

SEC. 722. FINDINGS AND SENSE OF CONGRESS CONCERNING STATUS OF HEALTH RESOURCES SHARING BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Federal health care resources are scarce and thus should be effectively and efficiently used.

(2) In 1982, Congress, in Public Law 97-174, authorized the sharing of health resources between Department of Defense medical treatment facilities and Department of Veterans Affairs health care facilities in order to allow more effective and efficient use of those health resources.

(3) Health care beneficiaries of the Departments of Defense and Veterans Affairs, whether active servicemembers, veterans, retirees, or family members of active or retired servicemembers, should have full access to the health care and services that Congress has authorized for them.

(4) The Secretary of Defense and the Secretary of Veterans Affairs, and the appropriate officials of each of the Departments of Defense and Veterans Affairs with responsibilities related to health care, have not taken full advantage of the opportunities provided by law to make their respective health resources available to health care beneficiaries of the other Department in order to provide improved health care for the whole number of beneficiaries.

(5) After the many years of support and encouragement from Congress, the Departments have made little progress in health resource sharing and the intended results of the sharing authority have not been achieved.

(b) SENSE OF CONGRESS.—Congress urges the Secretary of Defense and the Secretary of Veterans Affairs—

(1) to commit their respective Departments to significantly improve mutually beneficial sharing and coordination of health care resources and services during peace and war;

(2) to build organizational cultures supportive of improved sharing and coordination of health care resources and services; and

(3) to establish and achieve measurable goals to facilitate increased sharing and coordination of health care resources and services.

(c) PURPOSE.—It is the purpose of this Act—

(1) to authorize a program to advance mutually beneficial sharing and coordination of health care resources between the two Departments consistent with the longstanding intent of Congress; and

(2) to establish a basis for improved strategic planning by the Department of Defense and Department of Veterans Affairs health systems to ensure that scarce health care resources are used more effectively and efficiently in order to enhance access to high quality health care for their respective beneficiaries.

SEC. 723. REVISED COORDINATION AND SHARING GUIDELINES.

(a) IN GENERAL.—(1) Section 8111 of title 38, United States Code, is amended to read as follows:

"§8111. Sharing of Department of Veterans Affairs and Department of Defense health care resources

"(a) REQUIRED COORDINATION AND SHARING OF HEALTH CARE RESOURCES.—The Secretary of Veterans Affairs and the Secretary of Defense shall enter into agreements and contracts for the mutually beneficial coordination, use, or exchange of use of the health care resources of the Department of Veterans Affairs and the Department of Defense with the goal of improving the access to, and quality and cost effectiveness of, the health care provided by the Veterans Health Administration and the Military Health System to the beneficiaries of both Departments.

"(b) JOINT REQUIREMENTS FOR SECRETARIES OF VETERANS AFFAIRS AND DEFENSE.—To facilitate the mutually beneficial coordination, use, or exchange of use of the health care resources of the two Departments, the two Secretaries shall carry out the following functions:

"(1) Develop and publish a joint strategic vision statement and a joint strategic plan to shape, focus, and prioritize the coordination and sharing efforts among appropriate elements of the two Departments and incorporate the goals and requirements of the joint sharing plan into the strategic and performance plan of each Department under the Government Performance and Results Act.

"(2) Jointly fund the interagency committee provided for under subsection (c).

"(3) Continue to facilitate and improve sharing between individual Department of Veterans Affairs and Department of Defense health care facilities, but giving priority of effort to initiatives (A) that improve sharing and coordination of health resources at the intraregional and nationwide levels, and (B) that improve the ability of both Departments to provide coordinated health care.

"(4) Establish a joint incentive program under subsection (d).

"(c) DOD-VA HEALTH EXECUTIVE COMMITTEE.—(1) There is established an interagency committee to be known as the Department of Veterans Affairs-Department of Defense Health Executive Committee (hereinafter in this section referred to as the 'Committee'). The Committee is composed of—

"(A) the Deputy Secretary of the Department of Veterans Affairs and such other officers and employees of the Department of Veterans Affairs as the Secretary of Veterans Affairs may designate; and

"(B) the Under Secretary of Defense for Personnel and Readiness and such other officers and employees of the Department of Defense as the Secretary of Defense may designate.

"(2)(A) During odd-numbered fiscal years, the Deputy Secretary of Veterans Affairs shall chair the Committee. During even-numbered fiscal years, the Under Secretary of Defense shall chair the Committee.

"(B) The Deputy Secretary and the Under Secretary shall determine the size and structure of the Committee, as well as the administrative and procedural guidelines for the operation of the Committee. The two Departments shall share equally the Committee's

cost of personnel and administrative support and services. Support for such purposes shall be provided at a level sufficient for the efficient operation of the Committee, including a permanent staff and, as required, other temporary working groups of appropriate departmental staff and outside experts.

“(3) The Committee shall recommend to the Secretaries strategic direction for the joint coordination and sharing efforts between and within the two Departments under this section and shall oversee implementation of those efforts.

“(4) The Committee shall submit to the two Secretaries and to Congress an annual report containing such recommendations as the Committee considers appropriate. The two Secretaries shall implement the Committee's recommendations unless, with respect to any such recommendation, either Secretary formally determines that the recommendation should not be implemented or should be implemented in a modified form. Upon making such a determination, the Secretary making the determination shall submit to Congress notice of the Secretary's determination and the Secretary's rationale for the determination.

“(5) In order to enable the Committee to make recommendations in its annual report under paragraph (4), the Committee shall do the following:

“(A) Review existing policies, procedures, and practices relating to the coordination and sharing of health care resources between the two Departments.

“(B) Identify changes in policies, procedures, and practices that, in the judgment of the Committee, would promote mutually beneficial coordination, use, or exchange of use of the health care resources of the two Departments, with the goal of improving the access to, and quality and cost effectiveness of, the health care provided by the Veterans Health Administration and the Military Health System to the beneficiaries of both Departments.

“(C) Identify and assess further opportunities for the coordination and sharing of health care resources between the Departments that, in the judgment of the Committee, would not adversely affect the range of services, the quality of care, or the established priorities for care provided by either Department.

“(D) Review the plans of both Departments for the acquisition of additional health care resources, especially new facilities and major equipment and technology, in order to assess the potential effect of such plans on further opportunities for the coordination and sharing of health care resources.

“(E) Review the implementation of activities designed to promote the coordination and sharing of health care resources between the Departments. To assist in this effort, the Committee chairman, under procedures jointly developed by the Secretaries of both Departments, may task the Inspectors General of either or both Departments.

“(d) JOINT INCENTIVES PROGRAM.—(1) Pursuant to subsection (b)(4), the two Secretaries shall carry out a program to identify, provide incentives to, implement, fund, and evaluate creative coordination and sharing initiatives at the facility, intraregional and nationwide levels. The program shall be administered by the Committee established in subsection (c), under procedures jointly prescribed by the two Secretaries.

“(2) To facilitate the incentive program, there is established in the Treasury, effective on October 1, 2003, a DOD-VA Health Care Sharing Incentive Fund. Each Secretary shall annually contribute to the fund a minimum of \$15,000,000 from the funds appropriated to that Secretary's Department. Such funds shall remain available until expended.

“(3)(A) The implementation and effectiveness of the program under this subsection shall be reviewed annually by the joint Department of Defense-Department of Veterans Affairs Inspector General review team established in section 724(i) of the Department of Defense-Department of Veterans Affairs Health Resources Sharing and Performance Improvement Act of 2002. On completion of the annual review, the review team shall submit a report to the two Secretaries on the results of the review. Such report shall be submitted through the Committee to the Secretaries not later than December 31 of each calendar year. The Secretaries shall forward each report, without change, to the Committees on Armed Services and Veterans' Affairs of the Senate and House of Representatives not later than February 28 of the following year.

“(B) Each such report shall describe activities carried out under the program under this subsection during the preceding fiscal year. Each report shall include at least the following:

“(i) An analysis of the initiatives funded by the Committee, and the funds so expended by such initiatives, from the Health Care Sharing Incentive Fund, including the purposes and effects of those initiatives on improving access to care by beneficiaries, improvements in the quality of care received by those beneficiaries, and efficiencies gained in delivering services to those beneficiaries.

“(ii) Other matters of interest, including recommendations from the review team to make legislative improvements to the program.

“(4) The program under this subsection shall terminate on September 30, 2007.

“(e) GUIDELINES AND POLICIES FOR IMPLEMENTATION OF COORDINATION AND SHARING RECOMMENDATIONS, CONTRACTS, AND AGREEMENTS.—(1) To implement the recommendations made by the Committee under subsection (c)(2), as well as to carry out other health care contracts and agreements for coordination and sharing initiatives as they consider appropriate, the two Secretaries shall jointly issue guidelines and policy directives. Such guidelines and policies shall provide for coordination and sharing that—

“(A) is consistent with the health care responsibilities of the Department of Veterans Affairs under this title and with the health care responsibilities of the Department of Defense under chapter 55 of title 10;

“(B) will not adversely affect the range of services, the quality of care, or the established priorities for care provided by either Department; and

“(C) will not reduce capacities in certain specialized programs of the Department of Veterans Affairs that the Secretary is required to maintain in accordance with section 1706(b) of this title.

“(2) To facilitate the sharing and coordination of health care services between the two Departments, the two Secretaries shall jointly develop and implement guidelines for a standardized, uniform payment and reimbursement schedule for those services. Such schedule shall be implemented no later than the beginning of fiscal year 2004 and shall be revised periodically as necessary.

“(3)(A) The guidelines established under paragraph (1) shall authorize the heads of individual Department of Defense and Department of Veterans Affairs medical facilities and service regions to enter into health care resources coordination and sharing agreements.

“(B) Under any such agreement, an individual who is a primary beneficiary of one Department may be provided health care, as provided in the agreement, at a facility or in the service region of the other Department that is a party to the sharing agreement.

“(C) Each such agreement shall identify the health care resources to be shared.

“(D) Each such agreement shall provide, and shall specify procedures designed to ensure, that the availability of direct health care to individuals who are not primary beneficiaries of the providing Department is (i) on a referral basis from the facility or service region of the other Department, and (ii) does not (as determined by the head of the providing facility or region) adversely affect the range of services, the quality of care, or the established priorities for care provided to the primary beneficiaries of the providing Department.

“(E) Each such agreement shall provide that a providing Department or service region shall be reimbursed for the cost of the health care resources provided under the agreement and that the rate of such reimbursement shall be as determined in accordance with paragraph (2).

“(F) Each proposal for an agreement under this paragraph shall be effective (i) on the 46th day after the receipt of such proposal by the Committee, unless earlier disapproved, or (ii) if earlier approved by the Committee, on the date of such approval.

“(G) Any funds received through such a uniform payment and reimbursement schedule shall be credited to funds that have been allotted to the facility of either Department that provided the care or services, or is due the funds from, any such agreement.

“(f) ANNUAL JOINT REPORT.—(1) At the time the President's budget is transmitted to Congress in any year pursuant to section 1105 of title 31, the two Secretaries shall submit to Congress a joint report on health care coordination and sharing activities under this section during the fiscal year that ended during the previous calendar year.

“(2) Each report under this section shall include the following:

“(A) The guidelines prescribed under subsection (e) of this section (and any revision of such guidelines).

“(B) The assessment of further opportunities identified under subparagraph (C) of subsection (c)(5) for the sharing of health-care resources between the two Departments.

“(C) Any recommendation made under subsection (c)(4) of this section during such fiscal year.

“(D) A review of the sharing agreements entered into under subsection (e) of this section and a summary of activities under such agreements during such fiscal year and a description of the results of such agreements in improving access to, and the quality and cost effectiveness of, the health care provided by the Veterans Health Administration and the Military Health System to the beneficiaries of both Departments.

“(E) A summary of other planning and activities involving either Department in connection with promoting the coordination and sharing of Federal health-care resources during the preceding fiscal year.

“(F) Such recommendations for legislation as the two Secretaries consider appropriate to facilitate the sharing of health-care resources between the two Departments.

“(3) In addition to the matters specified in paragraph (2), the two Secretaries shall include in the annual report under this subsection an overall status report of the progress of health resources sharing between the two Departments as a consequence of the Department of Defense-Department of Veterans Affairs Health Resources Sharing and Performance Improvement Act of 2002 and of other sharing initiatives taken during the period covered by the report. Such status report shall indicate the status of such sharing and shall include appropriate data as well as analyses of that data. The annual report shall include the following:

“(A) Enumerations and explanations of major policy decisions reached by the two Secretaries during the period covered by the report period with respect to sharing between the two Departments.

“(B) A description of any purposes of Department of Defense-Department of Veterans Affairs Health Resources Sharing and Performance Improvement Act of 2002 that presented barriers that could not be overcome by the two Secretaries and their status at the time of the report.

“(C) A description of progress made in new ventures or particular areas of sharing and coordination that would be of policy interest to Congress consistent with the intent of such Act.

“(D) A description of enhancements of access to care of beneficiaries of both Departments that came about as a result of new sharing approaches brought about by such Act.

“(E) A description of proposals for which funds are provided through the joint incentives program under subsection (d), together with a description of their results or status at the time of the report, including access improvements, savings, and quality-of-care enhancements they brought about, and a description of any additional use of funds made available under subsection (d).

“(g) DEFINITIONS.—For the purposes of this section:

“(1) The term ‘beneficiary’ means a person who is a primary beneficiary of the Department of Veterans Affairs or of the Department of Defense.

“(2) The term ‘direct health care’ means health care provided to a beneficiary in a medical facility operated by the Department or the Department of Defense.

“(3) The term ‘head of a medical facility’ (A) with respect to a medical facility of the Department, means the director of the facility, and (B) with respect to a medical facility of the Department of Defense, means the medical or dental officer in charge or the contract surgeon in charge.

“(4) The term ‘health-care resource’ includes hospital care, medical services, and rehabilitative services, as those terms are defined in paragraphs (5), (6), and (8), respectively, of section 1701 of this title, services under sections 1782 and 1783 of this title, any other health-care service, and any health-care support or administrative resource.

“(5) The term ‘primary beneficiary’ (A) with respect to the Department means a person who is eligible under this title (other than under section 1782, 1783, or 1784 or subsection (d) of this section) or any other provision of law for care or services in Department medical facilities, and (B) with respect to the Department of Defense, means a member or former member of the Armed Forces who is eligible for care under section 1074 of title 10.

“(6) The term ‘providing Department’ means the Department of Veterans Affairs, in the case of care or services furnished by a facility of the Department of Veterans Affairs, and the Department of Defense, in the case of care or services furnished by a facility of the Department of Defense.

“(7) The term ‘service region’ means a geographic service area of the Veterans Health Administration, in the case of the Department of Veterans Affairs, and a service region, in the case of the Department of Defense.”

(2) The item relating to that section in the table of sections at the beginning of chapter 81 of title 38, United States Code, is amended to read as follows:

“8111. Sharing of Department of Veterans Affairs and Department of Defense health care resources.”

(b) CONFORMING AMENDMENT.—Section 1104 of title 10, United States Code, is amended by striking “may” and inserting “shall”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2003.

SEC. 724. HEALTH CARE RESOURCES SHARING AND COORDINATION PROJECT.

(a) ESTABLISHMENT.—(1) The Secretary of Veterans Affairs and the Secretary of Defense shall conduct a health care resources sharing project to serve as a test for evaluating the feasibility, and the advantages and disadvantages, of measures and programs designed to improve the sharing and coordination of health care and health care resources between the Department of Veterans Affairs and the Department of Defense. The project shall be carried out, as a minimum, at the sites identified under subsection (b).

(2) Reimbursement between the two Departments with respect to the project under this section shall be made in accordance with the provisions of section 8111(e)(2) of title 38, United States Code, as amended by section 723(a).

(b) SITE IDENTIFICATION.—(1) Not later than 90 days after the date of the enactment of this Act, the Secretaries shall jointly identify no less than five sites for the conduct of the project under this section.

(2) For purposes of this section, a site at which the resource sharing project shall be carried out is an area in the United States in which—

(A) one or more military treatment facilities and one or more VA health care facilities are situated in relative proximity to each other, including facilities engaged in joint ventures as of the date of the enactment of this Act; and

(B) for which an agreement to coordinate care and programs for patients at those facilities could be implemented not later than October 1, 2004.

(c) CONDUCT OF PROJECT.—(1) At sites at which the project is conducted, the Secretaries shall provide a test of a coordinated management system for the military treatment facilities and VA health care facilities participating in the project. Such a coordinated management system for a site shall include at least one of the elements specified in paragraph (2), and each of the elements specified in that paragraph must be included in the coordinated management system for at least two of the participating sites.

(2) Elements of a coordinated management system referred to in paragraph (1) are the following:

(A) A budget and financial management system for those facilities that—

(i) provides managers with information about the costs of providing health care by both Departments at the site;

(ii) allows managers to assess the advantages and disadvantages (in terms of relative costs, benefits, and opportunities) of using resources of either Department to provide or enhance health care to beneficiaries of either Department.

(B) A coordinated staffing and assignment system for the personnel (including contract personnel) employed at or assigned to those facilities, including clinical practitioners of either Department.

(C) Medical information and information technology systems for those facilities that—

(i) are compatible with the purposes of the project;

(ii) communicate with medical information and information technology systems of corresponding elements of those facilities; and

(iii) incorporate minimum standards of information quality that are at least equivalent to those adopted for the Departments at large in their separate health care systems.

(d) PHARMACY BENEFIT.—(1) One of the elements that shall be tested in at least two sites in accordance with subsection (c) is a pharmacy benefit under which beneficiaries of either Department shall have access, as part of the project, to pharmaceutical services of the other Department participating in the project.

(2) The two Secretaries shall enter into a memorandum of agreement to govern the establishment and provision not later than October 1, 2004, of pharmaceutical services authorized by this section. In the case of beneficiaries of the Department of Defense, the authority under the preceding sentence for such access to pharmaceutical services at a VA health care facility includes authority for medications to be dispensed based upon a prescription written by a licensed health care practitioner who, as determined by the Secretary of Defense, is a certified practitioner.

(e) AUTHORITY TO WAIVE CERTAIN ADMINISTRATIVE POLICIES.—(1)(A) In order to carry out subsections (c) and (d), the Secretary of Defense may, in the Secretary's discretion, waive any administrative policy of the Department of Defense otherwise applicable to those subsections (including policies applicable to pharmaceutical benefits) that specifically conflicts with the purposes of the project, in instances in which the Secretary determines that the waiver is necessary for the purposes of the project.

(B) In order to carry out subsections (c) and (d), the Secretary of Veterans Affairs may, in the Secretary's discretion, waive any administrative policy of the Department of Veterans Affairs otherwise applicable to those subsections (including policies applicable to pharmaceutical benefits) that specifically conflicts with the purposes of the project, in instances in which the Secretary determines that the waiver is necessary for the purposes of the project.

(C) The two Secretaries shall establish procedures for resolving disputes that may arise from the effects of policy changes that are not covered by other agreement or existing procedures.

(2) No waiver under paragraph (1) may alter any labor-management agreement in effect as of the date of the enactment of this Act or adopted by either Department during the period of the project.

(f) USE BY DOD OF CERTAIN TITLE 38 PERSONNEL AUTHORITIES.—(1) In order to carry out subsections (c) and (d), the Secretary of Defense may apply to civilian personnel of the Department of Defense assigned to or employed at a military treatment facility participating in the project any of the provisions of subchapters I, III, and IV of chapter 74 of title 38, United States Code, determined appropriate by the Secretary.

(2) For such purposes, any reference in such chapter—

(A) to the “Secretary” or the “Under Secretary for Health” shall be treated as referring to the Secretary of Defense; and

(B) to the “Veterans Health Administration” shall be treated as referring to the Department of Defense.

(g) FUNDING.—From amounts available for health care for a fiscal year, each Secretary shall make available to carry out the project not less than—

(1) \$5,000,000 for fiscal year 2003;

(2) \$10,000,000 for fiscal year 2004; and

(3) \$15,000,000 for each succeeding year during which the project is in effect.

(h) DEFINITIONS.—For purposes of this section:

(1) The term “military treatment facility” means a medical facility under the jurisdiction of the Secretary of a military department.

(2) The term “VA health care facility” means a facility under the jurisdiction of the

Veterans Health Administration of the Department of Veterans Affairs.

(i) **PERFORMANCE REQUIREMENTS.**—(1) The two Secretaries shall provide for a joint review team to conduct an annual on-site review at each of the project locations selected by the Secretaries under this section. The review team shall be comprised of employees of the Offices of the Inspectors General of the two Departments. Leadership of the joint review team shall rotate each fiscal year between an employee of the Office of the Inspector General of the Department of Veterans Affairs, during even-numbered fiscal years, and an employee of the Office of Inspector General of the Department of Defense, during odd-numbered fiscal years.

(2) On completion of their annual joint review under paragraph (1), the review team shall submit a report to the two Secretaries on the results of the review. The Secretaries shall forward the report, without change, to the Committees on Armed Services and Veterans Affairs of the Senate and House of Representatives.

(3) Each such report shall include the following:

(A) The strategic mission coordination between shared activities.

(B) The accuracy and validity of performance data used to evaluate sharing performance and changes in standards of care or services at the shared facilities.

(C) A statement that all appropriated funds designated for sharing activities are being used for direct support of sharing initiatives.

(D) Recommendations concerning continuance of the project at each site for the succeeding 12-month period.

(4) Whenever there is a recommendation under paragraph (3)(D) to discontinue a resource sharing project under this section, the two Secretaries shall act upon that recommendation as soon as practicable.

(5) In the initial report under this subsection, the joint review team shall validate the baseline information used for comparative analysis.

(j) **TERMINATION.**—(1) The project, and the authority provided by this section, shall terminate on September 30, 2007.

(2) The Secretaries may terminate the performance of the project at any site when the performance of the project at that site fails to meet performance expectations of the Secretaries, based on recommendations from the review team under subsection (i) or on other information available to the Secretaries to warrant such action.

SEC. 725. REPORT ON IMPROVED COORDINATION AND SHARING OF HEALTH CARE AND HEALTH CARE RESOURCES FOLLOWING DOMESTIC ACTS OF TERRORISM OR DOMESTIC USE OF WEAPONS OF MASS DESTRUCTION.

(a) **JOINT REVIEW.**—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly review the adequacy of current processes and existing statutory authorities and policy governing the capability of the Department of Defense and the Department of Veterans Affairs to provide health care to members of the Armed Forces following domestic acts of terrorism or domestic use of weapons of mass destruction, both before and after any declaration of national emergency. Such review shall include a determination of the adequacy of current authorities in providing for the coordination and sharing of health care resources between the two Departments in such cases, particularly before the declaration of a national emergency.

(b) **REPORT TO CONGRESS.**—A report on the review under subsection (a), including any recommended legislative changes, shall be submitted to Congress as part of the fiscal year 2004 budget submission.

SEC. 726. ADOPTION BY DEPARTMENT OF VETERANS AFFAIRS OF DEPARTMENT OF DEFENSE PHARMACY DATA TRANSACTION SYSTEM.

(a) **ADOPTION OF PDTS SYSTEM.**—The Secretary of Veterans Affairs shall adopt for use by the Department of Veterans Affairs health care system the system of the Department of Defense known as the "Pharmacy Data Transaction System". Such system shall be fully operational for the Department of Veterans Affairs not later than October 1, 2004.

(b) **IMPLEMENTATION FUNDING.**—The Secretary of Defense shall transfer to the Secretary of Veterans Affairs, or shall otherwise bear the cost of, an amount sufficient to cover three-fourths of the cost to the Department of Veterans Affairs for initial computer programming activities and relevant staff training expenses related to implementation of subsection (a). Such amount shall be determined in such manner as agreed to by the two Secretaries.

(c) **REIMBURSEMENT PROCEDURES.**—Any reimbursement by the Department of Veterans Affairs to the Department of Defense for the use by the Department of Veterans Affairs of the transaction system under subsection (a) shall be determined in accordance with section 8111(e)(2) of title 38, United States Code, as amended by section 723.

SEC. 727. JOINT PILOT PROGRAM FOR PROVIDING GRADUATE MEDICAL EDUCATION AND TRAINING FOR PHYSICIANS.

(a) **IN GENERAL.**—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly carry out a pilot program under which graduate medical education and training is provided to military physicians and physician employees of the Department of Defense and the Department of Veterans Affairs through one or more programs carried out in military medical treatment facilities of the Department of Defense and medical centers of the Department of Veterans Affairs. The pilot program shall begin not later than January 1, 2003.

(b) **COST-SHARING AGREEMENT.**—The Secretaries shall enter into an agreement for carrying out the pilot program. The agreement shall establish means for each Secretary to assist in paying the costs, with respect to individuals under the jurisdiction of that Secretary, incurred by the other Secretary in providing medical education and training under the pilot program.

(c) **USE OF EXISTING AUTHORITIES.**—To carry out the pilot program, the Secretary of Defense and the Secretary of Veterans Affairs may use authorities provided to them under this Act, section 8111 of title 38, United States Code, and other laws relating to the furnishing or support of medical education and the cooperative use of facilities.

(d) **TERMINATION OF PROGRAM.**—The pilot program under this section shall terminate on July 31, 2008.

(e) **REPEAL OF SUPERSEDED PROVISION.**—Section 738 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 10 U.S.C. 1094 note; 115 Stat. 1173) is repealed.

SEC. 728. REPEAL OF CERTAIN LIMITS ON DEPARTMENT OF VETERANS AFFAIRS RESOURCES.

(a) **REPEAL OF VA BED LIMITS.**—Section 8110(a)(1) of title 38, United States Code, is amended—

(1) in the first sentence, by striking "at not more than 125,000 and not less than 100,000";

(2) in the third sentence, by striking "shall operate and maintain a total of not less than 90,000 hospital beds and nursing home beds and"; and

(3) in the fourth sentence, by striking "to enable the Department to operate and main-

tain a total of not less than 90,000 hospital and nursing home beds in accordance with this paragraph and".

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on October 1, 2003.

SEC. 729. REPORTS.

(a) **INTERIM REPORT.**—Not later than February 1, 2004, the Secretary of Defense and Secretary of Veterans Affairs shall submit to the Committees on Veterans Affairs and the Committees on Armed Services of the Senate and House of Representatives a joint report on their conduct of each of the programs under this Act through the end of the preceding fiscal year. The Secretaries shall include in the report a description of the measures taken, or planned to be taken, to implement the health resources sharing project under section 724 and the other provisions of this Act and any cost savings anticipated, or cost sharing achieved, at facilities participating in the project. The report shall also include information on improvements in access to care, quality, and timeliness, as well as impediments encountered and legislative recommendations to ameliorate such impediments.

(b) **ANNUAL REPORT ON USE OF WAIVER AUTHORITY.**—Not later than one year after the date of the enactment of this Act, and annually thereafter through completion of the project under section 724, the two Secretaries shall submit to the committees of Congress specified in subsection (a) a joint report on the use of the waiver authority provided by section 724(e)(1). The report shall include a statement of the numbers and types of requests for waivers under that section of administrative policies that have been made during the period covered by the report and, for each such request, an explanation of the content of each request, the intended purpose or result of the requested waiver, and the disposition of each request. The report also shall include descriptions of any new administrative policies that enhance the success of the project.

(c) **PHARMACY BENEFITS REPORT.**—Not later than one year after pharmaceutical services are first provided pursuant to section 724(d)(1), the two Secretaries shall submit to the committees of Congress specified in subsection (a) a joint report on access by beneficiaries of each department to pharmaceutical services of the other department. The report shall describe the advantages and disadvantages to the beneficiaries and the Departments of providing such access and any other matters related to such pharmaceutical services that the Secretaries consider pertinent, together with any legislative recommendations for expanding or canceling such services.

(d) **ANNUAL REPORT ON PILOT PROGRAM FOR GRADUATE MEDICAL EDUCATION.**—Not later than January 31, 2004, and January 31 of each year thereafter through 2009, the two Secretaries shall submit to Congress a joint report on the pilot program under section 727. The report for any year shall cover activities under the program during the preceding year and shall include each Secretary's assessment of the efficacy of providing education and training under that program.

The CHAIRMAN. Pursuant to House Resolution 415, the gentleman from New Jersey (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, next year the Department of Defense and Veterans Affairs

will spend over \$40 billion combined on health care for current or former military personnel and their families. Despite this enormous sum, despite the fact that this year under the leadership of the gentleman from Iowa (Mr. NUSSLE), the discretionary spending, the health care spending will increase just for VA alone by \$2.8 billion, there is still not enough to meet the growing demand.

The bipartisan amendment that I offer today on behalf of myself, the gentleman from Arizona (Mr. STUMP), the gentleman from New York (Mr. McHUGH), the gentleman from Kansas (Mr. MORAN), and the gentleman from Illinois (Mr. EVANS), is designed to provide additional resources to both health care systems by providing sharing agreements between the Department of Defense and the VA.

Mr. Chairman, while statutory authority to allow resource sharing has existed for more than 20 years, as a matter of fact, the legislation was enacted during my first term 21 years ago, the latest figures tell us that the level of sharing between the VA and the DOD remains extremely low, almost a joke, accounting for less than 1 percent of their combined health care budgets.

The Federal Government can and must do more to increase resource sharing whenever and wherever feasible. Our amendment accomplishes that by providing additional incentives and putting additional pressure on both the Department of Defense and the VA to move forward with common-sense, practical steps to increase the level of resource sharing between these two massive health care systems.

Under our amendment, the VA and DOD would establish at least 5 health care resource sharing projects at locations where both have significant medical facilities. These projects would, to the extent feasible, adopt a new management system to look at ways to eliminate differences between the budget, health care provider assignment, and medical inpatient information systems.

□ 0015

The amendment would also establish a permanent joint committee in the Departments of Defense and VA to provide stronger strategic direction and oversight of sharing initiatives and would authorize \$30 million over each of the next 3 years to reward sharing innovations.

Mr. Chairman, let me be very clear. This amendment will not in any way compromise the quality or variety of care available to military veterans, military personnel or their families, or the veterans as well. It will expand health care services, because any savings that are achieved will be reinvested locally so that those benefits will accrue at the local level.

Mr. Chairman, I do have a much longer statement, but let me just finally say that this is backed by the

Paralyzed Veterans of America, the VFW, American Legion, and the DAV.

Mr. Chairman, I hope the Members will support the amendment, and I herewith submit for the RECORD letters of support for this amendment from the organizations I referred to earlier:

THE AMERICAN LEGION,
Washington, DC, May 8, 2002.

Hon. CHRISTOPHER H. SMITH,
Chairman, Committee on Veterans' Affairs,
House of Representatives, Cannon House
Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the 2.8 million members of The American Legion, I would like to express our full support for the Department of Defense (DoD)—Department of Veterans Affairs (VA) Health Resources Sharing and Performance Improvement Act of 2002. The initiatives outlined in this bill would improve health care access for veterans and DoD beneficiaries by authorizing the sharing of health resources between DoD medical treatment facilities and VA health care facilities.

The American Legion recognizes the benefits from current sharing agreements between DoD and VA health care facilities and the potential gains from additional efforts. Clearly, there are multiple venues for sharing agreements that will augment services, build on the respective strengths of the participants and improve overall health care for all DoD and VA beneficiaries.

The American Legion has long supported the goal of improving the quality and access of health care through the sharing and coordination of VA–DoD health care resources. This bill is a solid first step toward achieving that goal.

Once again, The American Legion fully supports the DoD–VA Health Resources Sharing and Performance Improvement Act of 2002. The American Legion appreciates your continued leadership in addressing the issues that are important to veterans, members of the Armed Forces, and their families.

Sincerely,

STEVE A. ROBERTSON,
Director, National Legislative Commission.

PARALYZED VETERANS OF AMERICA,
Washington, DC, May 9, 2002.

Hon. CHRISTOPHER H. SMITH,
Chairman, House Committee on Veterans' Affairs,
Cannon House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the members of Paralyzed Veterans of America (PVA) I want to express our support for your amendment to H.R. 4546, the Bob Stump National Defense Authorization Act for Fiscal Year 2003. The amendment calls for increased direction and incentives to improve sharing of health care resources and services between the Department of Veterans Affairs (VA) and Department of Defense (DoD) health care systems.

PVA strongly believes the two departments have much to share in the provision of health care services that can be of mutual benefit to both patient populations. Unfortunately, existing statutory sharing authority has failed to provide the appropriate atmosphere, direction, and incentives to encourage VA and DoD to maximize their cooperation potential. This amendment seeks to correct that shortcoming.

Both departments have distinct patient population and missions. Recognizing that fact, we applaud language in the amendment that stipulates within the gamut of sharing opportunities, both large and small, such activities will not affect the ability of the VA to protect one of its primary missions—the maintenance of its capacity to provide such specialized services as spinal cord injury

care for severely disabled veterans. We believe there are many areas where sharing health care resources can improve care and reduce costs in both systems.

Thank you for your continuing care and concern for our nation's veterans.

Sincerely,

RICHARD B. FULLER,
National Legislative Director.

DISABLED AMERICAN VETERANS
Washington, DC, May 9, 2002.

Hon. CHRISTOPHER H. SMITH,
Chairman, House Veterans Affairs Committee,
Cannon House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: The Disabled American Veterans (DAV) appreciates the introduction of your amendment to H.R. 4546, the national Defense Authorization Act for Fiscal Year 2003.

The Department of Defense (DoD)—Department of Veterans Affairs (VA) Health Resources Sharing and Performance Improvement Act of 2002 would, in part, require sharing and coordination of VA/DoD health care resources and authorize initiatives to improve access to health care services provided to beneficiaries of both systems. It would also authorize a demonstration project to identify the feasibility and benefits or disadvantages of coordinated management of health care resources of both departments.

We agree that scarce Federal health resources should be used effectively and efficiently in order to enhance access to high quality health care services for active servicemembers, veterans, retirees, and family members of active or retired servicemembers as provided by law. Certainly we have a compelling moral duty to honor our pledges to them, and a responsibility to see that resources are used wisely to achieve this goal. This amendment seeks to ensure that both departments take full advantage of the opportunities authorized by law to provide improved health care for all beneficiaries. We are pleased that language in the amendment maintains the integrity of the special disabilities programs in accordance with section 1706(b) of title 38, United States Code.

We agree that DoD and VA should commit their respective departments to exploring new ways for significantly improving health resources sharing and to building organizational cultures supportive of health resources sharing. This provisions gives strong incentives for increased collaboration between the respective departments and is an initial step forward to achieving this goal.

We sincerely thank you for your introduction of this amendment and continued support to improve health care services for our Nation's veterans.

Sincerely,

JOSEPH A. VIOLANTE,
National Legislative Director

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, DC, May 9, 2002.

Hon. CHRISTOPHER H. SMITH,
Chairman, House Veterans' Affairs Committee,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the 2.7 million members of the Veterans of Foreign Wars of the United States (VFW) and our Ladies Auxiliary, I am pleased to offer our strong support for the amendment you are to offer to H.R. 4546, the FY 2003 National Defense Authorization Act. This bold and far-reaching legislative initiative will promote health resource sharing between the Department of Veterans Affairs (VA) and the Department of Defense (DOD). We strongly believe that improved VA–DOD health resource sharing will greatly benefit our veterans, our

active duty military and our military retirees.

Despite the repeated attempts of Congress to increase sharing arrangements, very little has actually taken place. The 1999 Congressional Commission on Servicemembers and Veterans Transition Assistance found that VA and DOD shared only \$62 million out of a \$32 billion healthcare budget. These two agencies have had the authority to enact sharing agreements for over twenty years, yet they have done little. The VFW believes that the provisions of this amendment will serve as a strong incentive for VA and DOD to at last pursue these mutually advantageous agreements.

It is our view that increased health resource sharing will be doubly beneficial. It has the potential to provide an expanded wealth of services to all beneficiaries, all while reducing costs. The Transition Commission noted, for example, that were VA and DOD to better coordinate the purchase of medical products, including pharmaceuticals and supplies, they would realize a savings of almost \$2 billion over a five-year period. Further, a May 2000 General Accounting Office report claimed that VA and DOD could realize a gain of up to \$300 million per year with improved joint pharmaceutical contracts.

The VFW insists that all cost-savings resulting from improved resource sharing agreements be reinvested back into the Departments' health care systems without any funding offsets. The resulting supplemental revenue will help bring the Departments' respective health care budgets closer to what is actually needed to provide the timely, first-rate health care our active duty servicemembers and veterans so richly deserve. Additionally, the resultant additional dollars will serve as an effective incentive for the Departments to pursue other additional avenues of health care sharing.

Notwithstanding this legislation's manifest benefits, we do have some concerns that we would articulate here. First, we believe that the individuals who head the Health Executive Committee which this legislation creates should have equal authority and the highest possible access to their respective Secretaries. This will help preserve the integrity of their decision-making and mitigate potential institutional interference. We note that under your amendment the senior DOD head will be the Under Secretary of Defense for Personnel and Readiness whereas VA's Deputy Secretary represents that department. We recommend that the DOD head be the Deputy Secretary of Defense.

A second concern is since the findings of this Committee are essentially binding upon the two departments, that they not unduly supplant established and effective planning procedures nor serve as a means to circumvent the will of the Congress and the longstanding oversight capacity of the veterans service community. Great care must be exercised to ensure that the considerable authority invested in this Executive Committee is not misapplied.

Despite this, the VFW strongly supports this bold approach to expanding and, indeed, enforcing the implementation of VA-DOD health care resource sharing agreements. Most importantly, it specifically addresses a key VFW goal that veterans and the active duty military receive the best possible health care in the best possible way. We thank you for introducing this vital measure, and we look forward to working with you to ensure its success.

Sincerely,

ROBERT E. WALLACE,
Executive Director.

Mr. Chairman, I reserve the balance of my time.

Mr. TURNER. Mr. Chairman, I am unaware of any opposition to the amendment, and so I rise to claim the customary division of time.

The CHAIRMAN. Without objection, the gentleman from Arkansas (Mr. SNYDER) is recognized for 5 minutes.

There was no objection.

Mr. SNYDER. Mr. Chairman, I yield myself such time as I may consume, and I rise in support of the amendment offered by my friend and colleague, and the chairman of the House Committee on Veterans' Affairs, the gentleman from New Jersey (Mr. SMITH).

The amendment he offers, Mr. Chairman, would require the Department of Defense and the Department of Veterans Affairs to approve and expand their health care resource sharing efforts. The gentleman is my chairman on the Committee on Veterans' Affairs, and I appreciate him and look forward to working with him on the Committee on Veterans' Affairs and on the Committee on Armed Services for many years to come on this very important issue.

Ironically, we have time this evening to consider debate on these two last amendments which are noncontroversial. While noncontroversial, they are important and ought to be discussed. The two proponents of these amendments deserve their opportunity to discuss them on the House floor at their request. But just as importantly, we should have had the opportunity to discuss the controversial issues in this bill offered by very fine Members of this House, the gentleman from South Carolina (Mr. SPRATT), the gentleman from Mississippi (Mr. TAYLOR), the gentleman from Oregon (Mr. BLUMENAUER), the gentleman from Connecticut (Mr. MALONEY), the gentleman from Maine (Mr. ALLEN), and others. All had issues they wanted to have discussed.

At the full Committee on Armed Services, under the very able chairmanship of the gentleman from Arizona (Mr. STUMP), we had very vigorous and full debate on every issue that members wanted to be discussed, and we voted on every issue on which someone wanted to vote. The result was people were satisfied with the process and the bill came out of committee 57 to one.

Ironically, the issue we have heard most about today, which is the amendment of the gentleman from Mississippi (Mr. TAYLOR) on base closure, could have been avoided if the Committee on Rules had acted properly last year. Now, what do I mean by that? Last year, the gentleman from Utah (Mr. HANSEN) and I had an amendment to provide for a base closure commission. The Committee on Rules did not make that in order. So the folks that want to discuss base closure can now say we have never had a vote on the House floor. We are repeating this process year after year, denying the opportunity to discuss issues.

In 1981, I was working as a doctor in Thailand as part of the Cambodian ref-

ugee relief effort. We were living in the town of Aranyaprathet, right on the border, right next to a Thai army base. It was a very volatile border, and there was a lot of military presence. Got up one morning, the army base was emptied out. The Thai Army had gone to Bangkok to overthrow the government, overthrow the democracy and stage a coup. We went out that day to Thai villages where I would provide medical care with the medical team I worked with. We worked with these Thai paraprofessional medical people, and the fellow we were supposed to work with that morning could not perform his work. All he could do was sit and cry, literally cry about the fact that his democracy was overthrown.

Well, I was very proud to be an American that day, very proud of our American democracy. And what I learned that day in Thailand is that democracy has got to be nourished or we lose it. Well, I am very proud of this bill I am going to vote for here probably in about an hour, when we finish this process; but I am not proud of this process.

I think everyone has gathered that this process has been very dissatisfying to many people in the House, and I would hope my colleagues would respect our opinion in the future on other bills this year. At this very critical time in our Nation's history, we, as a body, as the people's House, need to do a better job of nurturing our democracy in this country.

Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas (Mr. MORAN), the chairman of the Subcommittee on Health of the Committee on Veterans' Affairs.

Mr. MORAN of Kansas. Mr. Chairman, I thank the gentleman for yielding me this time.

The amendment before the House tonight is a compromise that I believe will lead to better health care for our veterans and our service men and women, as well as a more efficient use of resources for their care.

Chairman SMITH has been the driving force behind this idea, and I commend him and the gentleman from New York (Mr. MCHUGH) and the gentleman from Arkansas (Mr. SNYDER), the chairman and ranking member of the Subcommittee on Military Personnel, for their very cooperative, fair, and objective considerations of the issues and concerns of both the Department of Veterans Affairs and the Department of Defense and both of our committees here in the Congress.

While each Department has traditional and long-standing values and practices in providing health care to separate beneficiary populations, this bill seeks the common interest of both veterans and military personnel and to create partnerships and better coordinations in each institution. This amendment will commit each Department to improving health sharing and

coordination of resources and services. It will also prompt the Department of Defense and the Department of Veterans Affairs to take full advantage of all these opportunities to make our health care resources available for all active and retired service men and women.

Mr. Chairman, I urge my colleagues to adopt this amendment.

Mr. EVANS. Mr. Chairman, Congress has long supported the sharing of scarce Federal health care resources between the Department of Defense (DoD) and the Department of Veterans Affairs (VA). In fact, Congress vested both Departments with broad authority two decades ago to do just that and has since repeatedly encouraged more effective and efficient use of this sharing authority by DoD and VA.

President Bush noted in the Administration's Fiscal Year 2003 budget submission to Congress that only a negligible portion of the nation's scarce Federal health care resources are actually being shared between the two Departments. While sharing between DoD and VA exists technically, sharing remains the exception, not the rule. Without future legislation there is little reason to believe that VA and DoD will develop a culture that values mutually beneficial sharing. Until this occurs, taxpayer dollars will not be spent as effectively as possible.

I commend the gentleman from New Jersey, Mr. SMITH, for his leadership with this amendment. How much of what kind of sharing is possible? It is my hope that the provisions of this amendment will forge thoughtful answers to this question and achieve the goals long sought by Congress.

Particularly noteworthy are the incentives endorsed in this amendment, which are intended to promote innovation and effective, new approaches to achieving the goals of sharing between DoD and VA. I also applaud the joint oversight provisions of this amendment, introducing shared accountability for the effective use of the resources provided in the amendment and shared accountability for assessing and reporting program outcomes. The Smith amendment allows the Secretaries of DoD and VA to terminate programs that are ineffective or demonstrate inefficiencies or a questionable use of scarce resources.

VA adoption of DoD's Pharmacy Data Transaction Service (PDTS) will provide benefits to veterans receiving VA medical care. Although this data system integration will no doubt present VA with some initial challenges, I believe the integration of these two systems has the potential to greatly improve the quality of patient care, eliminate harmful or dangerous drug interactions and bridge the information technology gaps that persist between the two agencies—on at least one front.

Mr. Chairman, I support this amendment and I urge my colleagues to vote for the amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. SMITH).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now

resume on those amendments on which further proceedings were postponed in the following order: Part A amendment No. 7 offered by the gentleman from California (Ms. SANCHEZ), part A amendment No. 8 offered by the gentleman from Virginia (Mr. GOODE), part A amendment No. 9 offered by the gentleman from Texas (Mr. PAUL), and part B amendment No. 10 offered by the gentleman from Nebraska (Mr. BEREUTER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

PART A AMENDMENT NO. 7 OFFERED BY MS. SANCHEZ

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Ms. SANCHEZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 202, noes 215, not voting 18, as follows:

[Roll No. 153]

AYES—202

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch

Dicks
Dingell
Doggett
Dooley
Dunn
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Frank
Frelinghuysen
Frost
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Isakson
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur

Kelly
Kennedy (RI)
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kolbe
Kucinich
Lampson
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Loftgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller, Dan
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Oliver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy

Price (NC)
Pryce (OH)
Ramstad
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott

Serrano
Shaw
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)

Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walden
Waters
Watt (NC)
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—215

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bereuter
Berry
Bilirakis
Blunt
Boehner
Bonilla
Boozman
Borski
Brady (TX)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cantor
Chabot
Chambliss
Coble
Collins
Cooksey
Costello
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Ehlers
Emerson
English
Everett
Ferguson
Flake
Fletcher
Forbes
Fossella
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Grucci
Gutknecht
Hall (TX)

Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Issa
Istook
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kerns
Kildee
King (NY)
Kingston
Knollenberg
LaFalce
LaHood
Langevin
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Lynch
Manzullo
Mascara
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller, Gary
Miller, Jeff
Mollohan
Moran (KS)
Murtha
Myrick
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps

Pickering
Pitts
Platts
Pombo
Portman
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souders
Stearns
Stenholm
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Upton
Vitter
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Burton
Cannon
Clay
Combest
Crane

Hall (OH)
John
Kennedy (MN)
Lewis (GA)

Millender-McDonald
Nethercutt
Ose

Reyes
Riley

Roukema
Traficant

Watson (CA)
Waxman

□ 0044

Ms. NORTHUP changed her vote from “aye” to “no.”

Mr. KOLBE changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. SWEENEY. Mr. Chairman, on rollcall No. 153, I inadvertently voted “no,” and I intended to vote “aye.”

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

PART A AMENDMENT NO. 8 OFFERED BY MR. GOODE

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 8 printed in Part A of House Report 107-450 offered by the gentleman from Virginia (Mr. GOODE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 183, not voting 19, as follows:

[Roll No. 154]

AYES—232

Aderholt	Collins	Goode
Akin	Cooksey	Goodlatte
Armey	Costello	Gordon
Bachus	Cox	Goss
Baker	Cramer	Graham
Ballenger	Crenshaw	Granger
Barcia	Cubin	Graves
Barr	Culberson	Green (WI)
Bartlett	Cunningham	Greenwood
Barton	Davis, Jo Ann	Grucci
Bass	Davis, Tom	Gutknecht
Bereuter	Deal	Hall (TX)
Biggart	DeFazio	Hansen
Bilirakis	DeLay	Harman
Bishop	DeMint	Hart
Blunt	Deutsch	Hastings (WA)
Boehlert	Diaz-Balart	Hayes
Boehner	Doolittle	Hayworth
Bonilla	Duncan	Hefley
Bono	Dunn	Herger
Boozman	Emerson	Hilleary
Boswell	English	Hobson
Boyd	Etheridge	Hoekstra
Brady (TX)	Everett	Holden
Brown (SC)	Ferguson	Horn
Bryant	Fletcher	Hostettler
Burr	Foley	Hulshof
Callahan	Forbes	Hunter
Calvert	Fossella	Hyde
Camp	Frelinghuysen	Isakson
Cantor	Galleghy	Israel
Capito	Gekas	Issa
Castle	Gibbons	Istook
Chabot	Gilchrest	Jenkins
Chambliss	Gillmor	Johnson (CT)
Coble	Gilman	Johnson (IL)

Johnson, Sam	Otter	Smith (NJ)
Jones (NC)	Oxley	Smith (TX)
Kaptur	Pence	Spratt
Keller	Peterson (MN)	Stearns
Kelly	Peterson (PA)	Stenholm
Kerns	Petri	Strickland
King (NY)	Phelps	Stump
Kingston	Pickering	Sullivan
Kirk	Pitts	Sununu
Knollenberg	Platts	Sweeney
LaHood	Pombo	Tancredo
Latham	Pomeroy	Tanner
LaTourette	Portman	Tauscher
Levin	Pryce (OH)	Tauzin
Lewis (CA)	Putnam	Taylor (MS)
Lewis (KY)	Quinn	Taylor (NC)
Linder	Ramstad	Thomas
Lipinski	Regula	Thune
LoBiondo	Rehberg	Thurman
Lowe	Reynolds	Tiahrt
Lucas (KY)	Roemer	Tiberi
Lucas (OK)	Rogers (KY)	Toomey
Luther	Rogers (MI)	Udall (CO)
Maloney (CT)	Rohrabacher	Udall (NM)
Manzullo	Ros-Lehtinen	Upton
McCarthy (NY)	Royce	Vitter
McCrery	Ryan (WI)	Walden
McHugh	Ryun (KS)	Walsh
McInnis	Saxton	Wamp
McIntyre	Schaffer	Watkins (OK)
McKeon	Schrock	Watts (OK)
Mica	Sensenbrenner	Weldon (FL)
Miller, Dan	Sessions	Weldon (PA)
Miller, Gary	Shadegg	Weller
Miller, Jeff	Shaw	Wexler
Moore	Shays	Wicker
Moran (KS)	Sherwood	Wilson (SC)
Myrick	Shimkus	Wolf
Ney	Shows	Young (AK)
Norwood	Shuster	Young (FL)
Nussle	Simpson	
Osborne	Smith (MI)	

NOES—183

Abercrombie	Fattah	McGovern
Ackerman	Filner	McKinney
Allen	Flake	McNulty
Andrews	Ford	Meehan
Baca	Frank	Meek (FL)
Baird	Frost	Meeks (NY)
Baldacci	Ganske	Menendez
Baldwin	Gephardt	Miller, George
Barrett	Gonzalez	Mink
Becerra	Green (TX)	Mollohan
Bentsen	Gutierrez	Moran (VA)
Berkley	Hastings (FL)	Morella
Berman	Hill	Murtha
Berry	Hilliard	Nadler
Blagojevich	Hinche	Napolitano
Blumenauer	Hinojosa	Neal
Bonior	Hoeffel	Oberstar
Borski	Holt	Obey
Boucher	Honda	Olver
Brady (PA)	Hooley	Ortiz
Brown (FL)	Houghton	Owens
Brown (OH)	Hoyer	Pallone
Buyer	Inslee	Pascarell
Capps	Jackson (IL)	Pastor
Capuano	Jackson-Lee	Paul
Cardin	(TX)	Payne
Carson (IN)	Jefferson	Pelosi
Carson (OK)	Johnson, E. B.	Price (NC)
Clayton	Jones (OH)	Radanovich
Clement	Kanjorski	Rahall
Clyburn	Kennedy (RI)	Rangel
Condit	Kildee	Rivers
Conyers	Kilpatrick	Rodriguez
Coyne	Kind (WI)	Ross
Crowley	Klecza	Rothman
Cummings	Kolbe	Roybal-Allard
Davis (CA)	Kucinich	Rush
Davis (FL)	LaFalce	Sabo
Davis (IL)	Lampson	Sanchez
DeGette	Langevin	Sanders
Delahunt	Lantos	Sandlin
DeLauro	Larsen (WA)	Sawyer
Dicks	Larson (CT)	Schakowsky
Dingell	Leach	Schiff
Doggett	Lee	Scott
Dooley	Loftgren	Serrano
Doyle	Lynch	Sherman
Dreier	Maloney (NY)	Simmons
Edwards	Markey	Skeen
Ehlers	Mascara	Skelton
Ehrlich	Matheson	Slaughter
Engel	Matsui	Smith (WA)
Esch	McCarthy (MO)	Snyder
Evans	McCollum	Solis
Farr	McDermott	Souder

Stark

Stupak

Terry

Thompson (CA)

Thompson (MS)

Thornberry

Tierney

Towns

Turner

Velazquez

Visclosky

Waters

Watt (NC)

Weiner

NOT VOTING—19

Burton	Kennedy (MN)	Reyes
Cannon	Lewis (GA)	Riley
Clay	Millender-McDonald	Roukema
Combust	Nethercutt	Traficant
Crane	Northup	Watson (CA)
Hall (OH)	Ose	Waxman
John		

□ 0052

Mr. LEWIS of California and Mr. LATHAM changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NORTHUP. Mr. Chairman, on rollcall No. 154, I was unavoidably detained. Had I been present, I would have voted “aye.”

PART A AMENDMENT NO. 9 OFFERED BY MR. PAUL

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 9 printed in part A of House Report 107-450 offered by the gentleman from Texas (Mr. PAUL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 264, noes 152, not voting 18, as follows:

[Roll No. 155]

AYES—264

Aderholt	Capito	Foley
Akin	Carson (OK)	Forbes
Armey	Castle	Fossella
Baca	Chabot	Frelinghuysen
Bachus	Chambliss	Galleghy
Baker	Coble	Ganske
Ballenger	Collins	Gekas
Barcia	Cooksey	Gibbons
Barr	Costello	Gilchrest
Bartlett	Cox	Gillmor
Bass	Cramer	Gilman
Bereuter	Crenshaw	Goode
Biggart	Cubin	Goodlatte
Bilirakis	Culberson	Gordon
Bishop	Cunningham	Goss
Blunt	Davis, Jo Ann	Graham
Boehlert	Davis, Tom	Granger
Boehner	Deal	Graves
Bonilla	DeFazio	Green (TX)
Bono	DeLay	Green (WI)
Boozman	DeMint	Greenwood
Boswell	Dicks	Grucci
Boyd	Doolittle	Gutknecht
Brady (TX)	Dreier	Hall (TX)
Brown (SC)	Duncan	Hansen
Bryant	Dunn	Hart
Burr	Edwards	Hastings (WA)
Callahan	Ehrlich	Hayes
Calvert	Emerson	Hayworth
Camp	English	Hefley
Cantor	Etheridge	Herger
Capito	Everett	Hill
Castle	Ferguson	Hilleary
Chabot	Flake	Hobson
Chambliss	Fletcher	Hoekstra
Coble		

Holden	Mollohan	Shimkus	Serrano	Thompson (CA)	Waters	Gillmor	Lofgren	Rush
Horn	Moran (KS)	Shows	Sherman	Thompson (MS)	Watt (NC)	Gilman	Lowey	Ryan (WI)
Hostettler	Murtha	Shuster	Slaughter	Tierney	Weiner	Gonzalez	Lucas (KY)	Ryun (KS)
Hulshof	Myrick	Simmons	Snyder	Towns	Wexler	Goode	Lucas (OK)	Sabo
Hunter	Ney	Simpson	Solis	Udall (CO)	Woolsey	Goodlatte	Luther	Sanchez
Hyde	Northup	Skeen	Stark	Udall (NM)	Wu	Gordon	Lynch	Sanders
Inslie	Norwood	Skelton	Tauscher	Velazquez	Wynn	Goss	Maloney (CT)	Sandlin
Isakson	Nussle	Smith (MI)				Graham	Maloney (NY)	Sawyer
Issa	Ortiz	Smith (NJ)				Granger	Manzullo	Saxton
Istook	Osborne	Smith (TX)	Burton	Kennedy (MN)	Riley	Graves	Markey	Schaffer
Jenkins	Otter	Smith (WA)	Cannon	Lewis (GA)	Roukema	Green (TX)	Mascara	Schakowsky
Johnson (IL)	Oxley	Souder	Clay	Millender-	Traficant	Green (WI)	Matheson	Schiff
Johnson, Sam	Pascrell	Spratt	Combest	McDonald	Watson (CA)	Greenwood	Matsui	Schrock
Jones (NC)	Paul	Stearns	Crane	Nethercutt	Waxman	Grucci	McCarthy (NY)	Scott
Kanjorski	Pence	Stenholm	Hall (OH)	Ose		Gutierrez	McCollum	Sensenbrenner
Kaptur	Peterson (MN)	Strickland	John	Reyes		Gutknecht	McCrery	Serrano
Keller	Peterson (PA)	Stump				Hall (TX)	McDermott	Sessions
Kelly	Petri	Stupak				Hansen	McGovern	Shadegg
Kerns	Phelps	Sullivan				Harman	McHugh	Shaw
Kildee	Pickering	Sununu				Hart	McInnis	Shays
King (NY)	Pitts	Sweeney				Hastings (FL)	McIntyre	Sherman
Kingston	Platts	Tancredo				Hastings (WA)	McKeon	Sherwood
Kirk	Pombo	Tanner				Hayes	McKinney	Shimkus
Knollenberg	Pomeroy	Tauzin				Hayworth	McNulty	Shows
Kolbe	Portman	Taylor (MS)				Hefley	Meek (FL)	Shuster
LaHood	Pryce (OH)	Taylor (NC)				Herger	Meeks (NY)	Simmons
Lampson	Terry					Hill	Menendez	Simpson
Langevin	Quinn	Thomas				Hilleary	Mica	Skeen
Larsen (WA)	Radanovich	Thornberry				Hilliard	Miller, Dan	Skelton
Latham	Rahall	Thune				Hinojosa	Miller, George	Slaughter
LaTourette	Ramstad	Thurman				Hobson	Miller, Jeff	Smith (MI)
Lewis (CA)	Regula	Tiahrt				Hoefel	Mink	Smith (NJ)
Lewis (KY)	Rehberg	Tiberi				Hoekstra	Mollohan	Smith (TX)
Linder	Reynolds	Toomey				Holden	Moore	Smith (WA)
Lipinski	Roemer	Turner				Holt	Moran (KS)	Snyder
LoBiondo	Rogers (KY)	Upton				Honda	Moran (VA)	Solis
Lucas (KY)	Rogers (MI)	Visclosky				Hooley	Morella	Souder
Lucas (OK)	Rohrabacher	Vitter				Horn	Murtha	Spratt
Lynch	Ross	Walden				Hostettler	Myrick	Stearns
Manzullo	Rothman	Walsh				Houghton	Nadler	Stenholm
Mascara	Royce	Wamp				Hoyer	Napolitano	Strickland
McCarthy (NY)	Ryan (WI)	Watkins (OK)				Hulshof	Neal	Stump
McCrery	Ryun (KS)	Watts (OK)				Hunter	Ney	Stupak
McHugh	Sandlin	Weldon (FL)				Hyde	Northup	Sullivan
McInnis	Saxton	Weldon (PA)				Inslee	Norwood	Sununu
McIntyre	Schaffer	Weller				Isakson	Nussle	Sweeney
McKeon	Schrock	Whitfield				Israel	Oberstar	Tancredo
Menendez	Sensenbrenner	Wicker				Issa	Obey	Tanner
Mica	Sessions	Wilson (NM)				Istook	Oliver	Tauscher
Miller, Dan	Shadegg	Wilson (SC)				Jackson (IL)	Ortiz	Tauzin
Miller, Gary	Shaw	Wolf				Jackson-Lee	Osborne	Taylor (MS)
Miller, Jeff	Shays	Young (AK)				(TX)	Otter	Taylor (NC)
Mink	Sherwood	Young (FL)				Jefferson	Owens	Terry
						Jenkins	Oxley	Thomas
						Johnson (CT)	Pallone	Thompson (CA)
						Johnson (IL)	Pascrell	Thompson (MS)
						Johnson, E. B.	Pastor	Thornberry
						Johnson, Sam	Paul	Thune
						Jones (NC)	Payne	Tiahrt
						Jones (OH)	Pelosi	Tiahrt
						Kanjorski	Pence	Tiberi
						Kaptur	Peterson (MN)	Tierney
						Keller	Peterson (PA)	Toomey
						Kelly	Petri	Towns
						Kennedy (RI)	Phelps	Turner
						Kerns	Pickering	Udall (CO)
						Kildee	Pitts	Udall (NM)
						Kilpatrick	Platts	Upton
						Kind (WI)	Pombo	Velazquez
						King (NY)	Pomeroy	Visclosky
						Kingston	Portman	Vitter
						Kirk	Price (NC)	Walden
						Klecza	Pryce (OH)	Walsh
						Knollenberg	Putnam	Wamp
						Kolbe	Quinn	Waters
						Kucinich	Radanovich	Watkins (OK)
						LaFalce	Rahall	Watt (NC)
						LaHood	Ramstad	Watts (OK)
						Lampson	Rangel	Weiner
						Langevin	Regula	Weldon (FL)
						Lantos	Rehberg	Weldon (PA)
						Larsen (WA)	Reynolds	Weller
						Latham	Rivers	Wexler
						LaTourette	Rodriguez	Whitfield
						Leach	Roemer	Wicker
						Lee	Rogers (KY)	Wilson (NM)
						Levin	Rogers (MI)	Wilson (SC)
						Lewis (CA)	Rohrabacher	Wolf
						Lewis (KY)	Ros-Lehtinen	Woolsey
						Linder	Ross	Wu
						Lipinski	Rothman	Wynn
						LoBiondo	Roybal-Allard	Young (AK)
							Royce	Young (FL)

NOT VOTING—18

□ 0100

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PART B AMENDMENT NO. 10 OFFERED BY MR.

BEREUTER

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 10 printed in part B of House Report 107-450 offered by the gentleman from Nebraska (Mr. BEREUTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 412, noes 2, not voting 20, as follows:

[Roll No. 156]

AYES—412

NOES—152									
Abercrombie	Engel	Luther	Abercrombie	Brown (OH)	Delahunt	Jefferson	Owens	Thompson (CA)	
Ackerman	Eshoo	Maloney (CT)	Ackerman	Brown (SC)	DeLauro	Jenkins	Oxley	Thompson (MS)	
Allen	Evans	Maloney (NY)	Aderholt	Bryant	DeLay	Johnson (CT)	Pallone	Thornberry	
Andrews	Farr	Markey	Akin	Burr	DeMint	Johnson (IL)	Pascrell	Thune	
Baird	Fattah	Matheson	Allen	Buyer	Deutsch	Johnson, E. B.	Pastor	Thurman	
Baldacci	Filner	Matsui	Andrews	Callahan	Diaz-Balart	Johnson, Sam	Paul	Tiahrt	
Baldwin	Ford	McCarthy (MO)	Armey	Calvert	Dicks	Jones (NC)	Payne	Tiberi	
Barrett	Frank	McCollum	Armey	Calvert	Dicks	Jones (OH)	Pelosi	Toomey	
Barton	Frost	McDermott	Baca	Camp	Dingell	Kanjorski	Pence	Towns	
Becerra	Gephardt	McGovern	Bachus	Cantor	Doggett	Kaptur	Peterson (MN)	Turner	
Bentsen	Gonzalez	McKinney	Baird	Capito	Dooley	Keller	Peterson (PA)	Udall (CO)	
Berkley	Gutierrez	McNulty	Baker	Capps	Doolittle	Kelly	Petri	Udall (NM)	
Berman	Harman	Meehan	Baldacci	Capuano	Doyle	Kennedy (RI)	Phelps	Upton	
Blumenauer	Hastings (FL)	Meek (FL)	Baldwin	Cardin	Dreier	Kerns	Pickering	Velazquez	
Bonior	Hilliard	Meeks (NY)	Ballenger	Carson (IN)	Duncan	Kildee	Pitts	Visclosky	
Borski	Hinchee	Miller, George	Barcia	Carson (OK)	Dunn	Kilpatrick	Platts	Vitter	
Boucher	Hinojosa	Moore	Barr	Castle	Edwards	Kind (WI)	Pombo	Walden	
Brown (FL)	Hoefel	Moran (VA)	Barrett	Chabot	Ehlers	King (NY)	Pomeroy	Walsh	
Brown (OH)	Holt	Morella	Bartlett	Chambliss	Ehrlich	Kingston	Portman	Wamp	
Capps	Honda	Nadler	Barton	Clayton	Emerson	Kirk	Price (NC)	Waters	
Capuano	Hooley	Napolitano	Bass	Clement	Engel	Klecza	Pryce (OH)	Watkins (OK)	
Cardin	Houghton	Neal	Becerra	Clyburn	English	Knollenberg	Putnam	Watt (NC)	
Carson (IN)	Hoyer	Oberstar	Bentsen	Coble	Eshoo	Kolbe	Quinn	Watts (OK)	
Clayton	Israel	Obey	Bereuter	Collins	Etheridge	Kucinich	Radanovich	Weiner	
Clement	Jackson (IL)	Oliver	Berkley	Condit	Evans	LaFalce	Rahall	Weldon (FL)	
Clyburn	Jackson-Lee	Owens	Berman	Conyers	Everett	LaHood	Ramstad	Weldon (PA)	
Condit	(TX)	Pallone	Berry	Cooksey	Farr	Lampson	Rangel	Weller	
Conyers	Jefferson	Pastor	Biggart	Costello	Fattah	Langevin	Regula	Wexler	
Coyne	Johnson (CT)	Payne	Bilirakis	Cox	Ferguson	Lantos	Rehberg	Whitfield	
Crowley	Johnson, E. B.	Pelosi	Bishop	Coyne	Filner	Larsen (WA)	Reynolds	Wicker	
Cummings	Jones (OH)	Price (NC)	Blagojevich	Cramer	Flake	Larsen (CT)	Rivers	Wilson (NM)	
Davis (CA)	Kennedy (RI)	Rangel	Blumenauer	Crenshaw	Fletcher	Latham	Rodriguez	Wilson (SC)	
Davis (FL)	Kilpatrick	Rivers	Blunt	Crowley	Foley	LaTourette	Roemer	Wolf	
Davis (IL)	Kind (WI)	Rodriguez	Boehlert	Cubin	Forbes	Leach	Rogers (KY)	Woolsey	
DeGette	Kleczka	Ros-Lehtinen	Bonilla	Culberson	Ford	Lee	Rogers (MI)	Wu	
Delahunt	Kucinich	Roybal-Allard	Bonior	Cummings	Fossella	Levin	Rohrabacher	Wynn	
DeLauro	LaFalce	Rush	Bono	Cunningham	Frank	Lewis (CA)	Ros-Lehtinen	Young (AK)	
Deutsch	Lantos	Sabo	Boozman	Davis (CA)	Frelinghuysen	Lewis (KY)	Ross	Young (FL)	
Diaz-Balart	Larson (CT)	Sanchez	Borski	Davis (FL)	Frost	Linder	Rothman		
Dingell	Leach	Sanders	Boswell	Davis (IL)	Gallegly	Lipinski	Roybal-Allard		
Doggett	Lee	Sawyer	Boucher	Davis, Jo Ann	Ganske	LoBiondo	Royce		
Dooley	Levin	Schakowsky	Boyd	Davis, Tom	Gekas				
Doyle	Lofgren	Schiff	Brady (PA)	Deal	Gephardt				
Ehlers	Lowey	Scott	Brady (TX)	DeFazio	Gibbons				
			Brown (FL)	DeGette	Gilchrest				

NOES—2

Stark

NOT VOTING—20

Boehner	John	Ose
Burton	Kennedy (MN)	Reyes
Cannon	Lewis (GA)	Riley
Clay	McCarthy (MO)	Roukema
Combest	Millender-	Traficant
Crane	McDonald	Watson (CA)
Hall (OH)	Nethercutt	Waxman

□ 0106

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. STUMP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just want to take this opportunity to thank the gentleman from Missouri (Mr. SKELTON), the ranking member of the Committee on Armed Services, for all of the hard work and the cooperation that he has put into this bill in the last few days. He has been a joy to work with and a very good friend, and one could not ask for a better partner.

The subcommittee chairmen and the ranking members, thanks to them, and a special thanks, Mr. Chairman, to all of the staff people who have been working these last few weeks hour after hour after hour.

Mr. THOMAS. Mr. Chairman, I move to strike the last word.

I think all of us need to thank the gentleman from Arizona (Mr. STUMP), the chairman of the Committee on Armed Services, because as is his usual custom, he would never say that he put in more hours than anyone, worked harder, and has delivered an excellent and quality product.

Mr. SKELTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, let me thank the gentleman from Arizona (Mr. STUMP) for his very generous remarks, but I must say that the bill is appropriately named after him. I might also point out that when I first came to the Congress of the United States, the gentleman from Arizona was my very first friend when we came up here in December of 1976.

A lot of good memories in the memory bank about the gentleman from Arizona. He came out to Whiteman Air Force Base in Missouri with me back in the late 1970s and the airmen there had this wooden stump that they called Sergeant Eucalyptus P. Stump, and the gentleman from Arizona (Mr. STUMP) and Eucalyptus P. Stump had their picture taken together.

I might also say one of those great memories was going back to Ford Island with him in 1991, the 50th anniversary of the bombing of Pearl Harbor, and we went over to Ford Island and he showed me where he was back in 1943 during the war. He is a marvelous, marvelous legislator, a great friend, and one of the most decent human beings, and we thank him immensely for his hard work and his generosity.

The CHAIRMAN. There being no further amendments in order, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATOURETTE) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4546) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, and for military construction, to prescribe military personnel strengths for fiscal year 2003, and for other purposes, pursuant to House Resolution 415, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SPRATT

Mr. SPRATT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SPRATT. I am, in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Spratt moves to recommit the bill H.R. 4546 to the Committee on Armed Services with instructions to report the same back to the House forthwith with the following amendment:

At the end of subtitle C of title II (page 49, after line 17), insert the following new section:

SEC. 234. PROHIBITION ON DEVELOPMENT AND DEPLOYMENT OF NUCLEAR-TIPPED BALLISTIC MISSILE INTERCEPTORS.

(a) PROHIBITION ON USE OF FUNDS.—No funds appropriated or otherwise made available to the Department of Defense or the Department of Energy may be obligated or expended to develop or deploy a nuclear-tipped ballistic missile interceptor.

(b) DEFINITION.—In this section:

(1) The term “nuclear-tipped ballistic missile interceptor” means a ballistic missile defense system that employs a nuclear detonation to destroy an incoming missile or reentry vehicle.

(2) The term “develop” includes any activities referred to in section 179(d)(8) of title 10, United States Code, more advanced than feasibility studies.

Mr. SPRATT (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes in support of his motion to recommit.

Mr. SPRATT. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, when Ronald Reagan launched the Strategic Defense Initiative, he made a wise decision. He decided that SDI should be non-nuclear, and he did it for good reason. SDI was not the genesis of missile defense. President Johnson had proposed a missile defense system in 1967, a system he called the Sentinel. It was to be deployed at 15 sites around the country, but it packed a nuclear warhead, and the news of its coming was not warmly welcomed.

When the Nixon administration came to office, it answered the local resistance to the Sentinel by naming it the Safeguard and by reorienting its mission. Safeguard consisted of 2 interceptors: Spartan, a third-stage missile with a 1 megaton warhead, and Sprint, a shorter range missile with a warhead that produced an intense burst of neutrons. Both of them were radar-guided. Neither was accurate enough for what we call today hit-to-kill, but with a 1-megaton warhead, the Spartan did not need hit-to-kill. The lethal range for the x-rays generated by its warhead above the atmosphere was several kilometers.

These systems were flight-tested often, and compiled an unimpressive record, but there was one flaw that really did it in. A nuclear weapon detonation above the atmosphere produces a huge quantity of electrons. Their interaction creates electromagnetic pulse and ionizes the whole top of the atmosphere. And when electrons in this mix reach a certain density, the waves that are projected by long-range radars are weakened to the point that they can no longer see objects as small as reentry vehicles. In other words, the Spartan and the Sprint, put together, were self-blinding. They did not work. They were self-defeating.

In October 1975, we opened the site at Grand Forks for the deployment of the system and it lasted all of 2 months; 2 months. We spent \$20 billion in today's money and the system was shut down.

Now, after spending \$20 billion to learn that nuclear-tipped interceptors are self-blinding, self-defeating, let us do not go down that path again. After spending another \$60 billion since SDI to perfect the technology we today call hit-to-kill, let us stick to our knitting. It is about to work. It is about to come to fruition. Let us keep missile defense focused on things that are feasible.

Now, my colleagues may say that what I am doing in this motion is setting up a straw man and then knocking him down; that MDA is not even developing so-called nuclear-tipped interceptors, and that is true, for now.

□ 0115

But there are reports that Secretary of Defense Rumsfeld asked the Defense

Science Board to weigh this option, and here is what our own committee report says at page 230, in this bill on page 230:

"The committee understands that the Department may investigate other options for ballistic missile defense; among them, nuclear armed interceptors. The committee would consider the examination of such an alternative to be a prudent step." I do not consider that to be prudent in terms of dollars or defense policy. That is why I move to recommit and undo this language.

Mr. Speaker, I yield 1 minute and 50 seconds to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I urge support for this motion to recommit to prohibit the development or deployment of nuclear-tipped ballistic missile interceptors.

As the gentleman from South Carolina has said, the Safeguard nuclear antimissile system was canceled by Congress 2 months after it was deployed in 1975, partly because the new Russian MERVs would easily evade the defense and partly because the public would not tolerate U.S.-nuclear explosions over our cities and territories as a way of defending this country.

President Reagan's Strategic Defense Initiative rejected the nuclear option. If President Reagan knew it was a bad idea 20 years ago, why revive it now? Yet Secretary of Defense Rumsfeld has reportedly instructed the Defense Science Board to explore this option. There are bad ideas and there are really bad ideas, and this bill should slam the door on really bad, half-baked ideas like nuclear-tipped ballistic missile interceptors.

General Kadish, director of the Missile Defense Agency, has said that he has no interest in developing nuclear-tipped interceptors. He knows that Americans will never tolerate this sort of defense that relies on U.S. nuclear explosions over our homes, raining down radioactivity and blinding radars and other sensors of conventional missile defenses.

The Committee on Armed Services has held numerous hearings supporting hit-to-kill technology and showing it works. If it works, why return to nuclear explosions as a way of defending our country?

The other side will suggest that we should not restrict the Pentagon's ability to experiment with any technology; but, Mr. Speaker, if that is true, why are we even here? Why do we not write a blank check at the beginning of the year and go home? Because Congress has a constitutional duty to set spending priorities. We should reject this type of missile defense and vote for the motion to recommit.

Mr. SPRATT. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let us vote to affirm Ronald Reagan's wisdom. Let us win one for the Gipper. Vote "aye" for non-nuclear missile defense.

Mr. HUNTER. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from California (Mr. HUNTER) is recognized for 5 minutes.

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there is no plan, no funding, no blueprint to use nuclear-tipped interceptors. In fact, we do not have them. We used to, and we disassembled them.

But the Soviet Union, now Russia, does indeed have them; and we are doing precisely, if we vote for this motion to recommit, precisely what the Gipper did not want us to do, and that is for Congress to take all the chips off the table when the President has an opportunity to maybe negotiate down or negotiate out that nuclear-tipped Galosh force that Russia maintains around Moscow right now.

So let us win one for the Gipper; let us not vote for this motion to recommit.

Let me just say one other thing to my Democrat friends. I was all set for a motion to recommit on base closing. What happened to that motion to recommit? I thought that would be what they would offer up here.

I would recommend to us that we kind of keep our eye on the ball. The ball is, we are providing in this bill for the Armed Forces of the United States of America. This bill has been the product of literally thousands of hours put in by Members on both sides of the aisle, by the staff.

I do not know how the rest of the Members feel, but the last 8 months, I have felt a little bit like it must have been after Pearl Harbor. We were hit by a sneak attack in this country. It killed thousands of our citizens. We came together, and a wave of patriotism and spirit moved across this country.

We stood behind our military people. We sent our uniformed forces out to hunt down the enemy and engage them in combat. They have been doing that very, very effectively. I think it is entirely appropriate that we name this bill in honor of the gentleman from Arizona (Mr. STUMP), because he is one of those World War II veterans who joined at the age of 16.

The gentleman from California (Mr. ROHRBACHER) mentioned to me that it might be a good time to mention the other World War II veterans, because we do not have a lot of them. They are a great asset to this Congress.

I would just ask, if they are here tonight, if they can stand: the gentleman from Michigan (Mr. DINGELL), the gentleman from Illinois (Mr. HYDE), the gentleman from New York (Mr. GILMAN), the gentleman from Texas (Mr. HALL), the gentleman from Ohio (Mr. REGULA), and the gentleman from New York (Mr. HOUGHTON).

If we have missed anyone, please stand up. Let us give them a round of applause. And the gentleman from North Carolina (Mr. BALLENGER).

Now, Mr. Speaker, we have come together. We have put in thousands of hours with staff and Members. We have put together a great bill that does what we are supposed to do, and that is, we have given the President and our troops the tools that they need to do the job. They are doing their duty, and 1.2 million Americans in uniform across the world are doing their duty to serve this country. Let us do our duty. Let us pass this bill.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from California.

Mr. THOMAS. I thank the gentleman for yielding.

Mr. Speaker, just to make sure that everybody understands what this vote is, a way of looking at it would be to vote yes or no as a referendum on the motion for the committee to rise and those who sponsored it. If Members like the motion to rise, vote yes; if they did not like what happened, vote no.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SPRATT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 193, noes 223, not voting 18, as follows:

[Roll No. 157]

AYES—193

Abercrombie	Costello	Gutierrez
Ackerman	Coyne	Harman
Allen	Cramer	Hastings (FL)
Andrews	Crowley	Hill
Baca	Cummings	Hilliard
Baird	Davis (CA)	Hinche
Baldacci	Davis (FL)	Hinojosa
Baldwin	Davis (IL)	Hoeffel
Barcia	DeFazio	Holden
Barrett	DeGette	Holt
Becerra	Delahunt	Honda
Bentsen	DeLauro	Hooley
Berkley	Deutsch	Hoyer
Berman	Dicks	Inslee
Berry	Dingell	Israel
Bishop	Doggett	Jackson (IL)
Blagojevich	Dooley	Jackson-Lee
Blumenauer	Doyle	(TX)
Bonior	Edwards	Jefferson
Borski	Ehlers	Johnson, E. B.
Boswell	Engel	Jones (OH)
Boucher	Eshoo	Kanjorski
Brady (PA)	Etheridge	Kaptur
Brown (FL)	Evans	Kennedy (RI)
Brown (OH)	Farr	Kildee
Capps	Fattah	Kilpatrick
Capuano	Filner	Kind (WI)
Cardin	Ford	Klecza
Carson (IN)	Frank	Kucinich
Clayton	Frost	LaFalce
Clement	Gephardt	Lampson
Clyburn	Gonzalez	Langevin
Condit	Gordon	Lantos
Conyers	Green (TX)	Larsen (WA)

Larson (CT)

Leach

Lee

Levin

Lofgren

Lowey

Luther

Lynch

Maloney (CT)

Maloney (NY)

Markey

Mascara

Matheson

Matsui

McCarthy (MO)

McCarthy (NY)

McColum

McDermott

McGovern

McIntyre

McKinney

McNulty

Meehan

Meek (FL)

Meeks (NY)

Menendez

Miller, George

Mink

Mollohan

Moore

Moran (VA)

Murtha

Nadler

Napolitano

Neal

Oberstar

Obey

Olver

Ortiz

Owens

Pallone

Pascarell

Pastor

Payne

Pelosi

Pomeroy

Price (NC)

Rahall

Rangel

Rivers

Rodriguez

Roemer

Ross

Rothman

Roybal-Allard

Rush

Sabo

Sanchez

Sanders

Sawyer

Schakowsky

Schiff

Scott

Serrano

Sherman

Skelton

Slaughter

Smith (WA)

Snyder

Solis

Spratt

Stark

Strickland

Stupak

Tanner

Tauscher

Thompson (CA)

Thompson (MS)

Thurman

Tierney

Towns

Udall (CO)

Udall (NM)

Velazquez

Visclosky

Waters

Watt (NC)

Weiner

Wexler

Woolsey

Wu

Wynn

Terry

Thomas

Thornberry

Thune

Tiahrt

Tiberi

Toomey

Turner

Upton

Vitter

Walden

Walsh

Wamp

Watkins (OK)

Watts (OK)

Weldon (FL)

Weldon (PA)

Weller

Whitfield

Wicker

Wilson (NM)

Wilson (SC)

Wolf

Young (AK)

Young (FL)

Israel

Issa

Istook

Jefferson

Jenkins

Johnson (CT)

Johnson (IL)

Johnson, E. B.

Johnson, Sam

Jones (NC)

Kanjorski

Kaptur

Keller

Kelly

Kennedy (RI)

Kerns

Kildee

King (NY)

Kingston

Kirk

Knollenberg

Kolbe

LaFalce

LaHood

Lampson

Langevin

Lantos

Larsen (WA)

Larson (CT)

Latham

LaTourrette

Leach

Levin

Lewis (CA)

Lewis (KY)

Linder

Lipinski

LoBiondo

Lowey

Lucas (KY)

Lucas (OK)

Luther

Lynch

Maloney (CT)

Maloney (NY)

Manzullo

Mascara

Matheson

Matsui

McCarthy (MO)

McCarthy (NY)

McColum

McCreery

McHugh

McInnis

McIntyre

McKeon

McNulty

Meehan

Meek (FL)

Menendez

Mica

Miller, Dan

Miller, Gary

Miller, Jeff

Mink

Mollohan

Moore

Moran (KS)

Moran (VA)

Morella

Myrick

Murtha

Myrick

Napolitano

Ney

Northup

Norwood

Nussle

Osborne

Otter

Oxley

Pallone

Pascarell

Pastor

Pelosi

Pence

Peterson (MN)

Peterson (PA)

Petri

Phelps

Pickering

Pitts

Platts

Pombo

Pomeroy

Portman

Price (NC)

Pryce (OH)

Putnam

Quinn

Radanovich

Rahall

Ramstad

Regula

Rehberg

Reynolds

Rodriguez

Roemer

Rogers (KY)

Rogers (MI)

Rohrabacher

Ros-Lehtinen

Ross

Rothman

Roybal-Allard

Royce

Rush

Ryan (WI)

Ryun (KS)

Sabo

Sanchez

Sandlin

Sawyer

Saxton

Schaffer

Schiff

Schrock

Scott

Sensenbrenner

Sessions

Shadegg

Shaw

Shays

Sherman

Sherwood

Shimkus

Shows

Shuster

Simmons

Simpson

Skeen

Skelton

Slaughter

Smith (MI)

Smith (NJ)

Smith (TX)

Smith (WA)

Snyder

Solis

Souder

Spratt

Stearns

Stenholm

Strickland

Stump

Stupak

Sullivan

Sununu

Sweeney

Tancred

Tanner

Tauscher

Tauzin

Taylor (MS)

Taylor (NC)

Terry

Thomas

Thompson (CA)

Thompson (MS)

Thornberry

Thune

Thurman

Tiahrt

Tiberi

Toomey

Turner

Udall (NM)

Upton

Visclosky

Vitter

Walden

Walsh

Wamp

Waters

Watkins (OK)

Watts (OK)

Weldon (FL)

Weldon (PA)

Weller

Wexler

Whitfield

Wicker

Wilson (NM)

Wilson (SC)

Wolf

Wynn

Young (AK)

Young (FL)

NOT VOTING—18

Kennedy (MN)

Lewis (GA)

Millender-

McDonald

Nethercutt

Waxman

Riley

Roukema

Trafficant

Watson (CA)

□ 0141

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. STUMP. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 359, noes 58, not voting 18, as follows:

[Roll No. 158]

AYES—359

Abercrombie

Ackerman

Aderholt

Akin

Allen

Andrews

Armey

Baca

Bachus

Baird

Baker

Baldacci

Ballenger

Barcia

Barr

Bartlett

Barton

Bass

Bentsen

Bereuter

Berkley

Berman

Berry

Biggett

Bilirakis

Bishop

Blagojevich

Blunt

Boehlert

Boehner

Bonilla

Bono

Boozman

Borski

Boswell

Boucher

Boyd

Brady (PA)

Brady (TX)

Brown (FL)

Brown (SC)

Bryant

Burr

Buyer

Callahan

Calvert

Camp

Cantor

Capito

Capps

Cardin

Carson (IN)

Carson (OK)

Castle

Chabot

Chambliss

Coble

Collins

Cooksey

Cox

Crenshaw

Cubin

Culberson

Cunningham

Davis, Jo Ann

Davis, Tom

Deal

DeLauro

DeLay

DeMint

Deutsch

Diaz-Balart

Dicks

Dingell

Dooley

Doolittle

Doyle

Dreier

Duncan

Dunn

Edwards

Ehlers

Ehrlich

Emerson

Engel

English

Etheridge

Evans

Everett

Ferguson

Flake

Fletcher

Foley

Forbes

Ford

Fossella

Frelinghuysen

Galegley

Ganske

Gekas

Frelinghuysen

Frost

Galegley

Ganske

Gekas

Gephardt

Gibbons

Gilchrest

Gillmor

Gilman

Gonzalez

Goode

Goodlatte

Gordon

Goss

Graham

Granger

Graves

Green (TX)

Green (WI)

Greenwood

Grucci

Gutierrez

Gutknecht

Hall (TX)

Hansen

Harman

Hart

Hastert

Hastings (FL)

Hastings (WA)

Hayes

Hayworth

Hefley

Herger

Hill

Hilleary

Hilliard

Hinojosa

Hobson

Hoeffel

Hoekstra

Holden

Hooley

Horn

Hostettler

Houghton

Hoyer

Hulshof

Hunter

Hyde

Insee

Isakson

Baldwin

Barrett

Becerra

Blumenauer

Bonior

Brown (OH)

Capuano

Clayton

Conyers

Coyne

DeFazio

DeGette

Delahunt

Doggett

Eshoo

Farr

Fattah

Filner

Frank

Hinchey

NOES—58

Holt

Honda

Jackson (IL)

Jackson-Lee

(TX)

Jones (OH)

Kilpatrick

Kind (WI)

Kleczka

Kucinich

Lee

Lofgren

Markey

McDermott

McGovern

McKinney

Meeks (NY)

Miller, George

Nadler

Oberstar

Obey

Olver

Owens

Paul

Payne

Rangel

Rivers

Sanders

Schakowsky

Serrano

Stark

Tierney

Towns

Udall (CO)

Velazquez

Watt (NC)

Weiner

Woolsey

Wu

NOT VOTING—18

Kennedy (MN)

Lewis (GA)

Millender-

McDonald

Nethercutt

Ose

Reyes

Riley

Roukema

Trafficant

Watson (CA)

Waxman

□ 0147

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes."

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 4546, BOB STUMP NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003

Mr. STUMP. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 4546, the Clerk be authorized to correct section numbers, punctuation, cross-references, and the table of contents, and to make other technical and conforming changes as may be necessary to reflect the action of the House in amending the bill.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from Arizona?

There was no objection.

GENERAL LEAVE

Mr. STUMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4546, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

ADJOURNMENT FROM FRIDAY, MAY 10, 2002 TO TUESDAY, MAY 14, 2002

Mr. STUMP. Mr. Speaker, I ask unanimous consent that when the House adjourns on Friday, May 10, 2002,

it adjourn to meet at 12:30 p.m. on Tuesday, May 14, 2002, for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. STUMP. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

PERSONAL EXPLANATION

Mr. BISHOP. Mr. Speaker, I regret that I was unavoidably detained this morning attending the funeral of the late Bishop J. Clinton Hoggard, and I unavoidably missed the following votes: rollcall votes 134, 135, 136 and 137.

Had I been here, I would have voted as follows: for rollcall 134 I would have voted nay; rollcall 135, nay; rollcall 136, nay; rollcall 137, nay.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I was absent today from the House for a period of time due to official business because of my selection as a member of the United States delegation to the United Nations Special Session on Children which I participated in at the United Nations.

Because of that, Mr. Speaker, I missed the following rollcall votes: rollcall votes numbers 134, 135, 136, 137, 138, 139 and 140, 141 and 142. If I had been present I would have voted on 134, no; 135, no; 136, no; 137, no; 138, no; 139, no; 140, no; rollcall number 141, no; and 142, yes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HALL of Ohio (at the request of Mr. GEPHARDT) for today on account of attending ambassador school.

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT) for today until 5:45 p.m. on account of official business; U.S. delegate to the U.N. special session on children.

Mr. REYES (at the request of Mr. GEPHARDT) for today after 1:00 p.m. on account of personal business.

Mr. CRANE (at the request of Mr. ARMEY) for today on account of personal reasons.

Mrs. ROUKEMA (at the request of Mr. ARMEY) for today after 12:30 p.m. on account of illness.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 378.—An act to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the "Paul Simon Chicago Jobs Corps Center."

BILLS PRESENTED TO THE PRESIDENT

Jefferson Trandahl, Clerk of the House reports that on May 8, 2002 he presented to the President of the United States, for his approval, the following bills.

H.R. 2048. To require a report on the operations of the State Justice Institute.

H.R. 2305. To authorize certain Federal officials with responsibility for the administration of the criminal justice system of the District of Columbia to serve on and participate in the activities of the District of Columbia Criminal Justice Coordinating Council, and

H.R. 3525. To enhance the border security of the United States, and for other purposes.

H.R. 4156. To amend the Internal Revenue Code of 1986 to clarify that the parsonage allowance exclusion is limited to the fair rental value of the property.

ADJOURNMENT

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 50 minutes a.m.), the House adjourned until today, Friday, May 10, 2002, at 10 a.m.